

**NO PACKET MATERIAL
FOR THIS ITEM**





Santa Fe County Proclamation

A PROCLAMATION IN RECOGNITION OF THE SANTA FE BUSINESS INCUBATOR NAMED BY ENTREPRENEUR MAGAZINE AS ONE OF THE TOP FIVE BEST UNDER THE RADAR INCUBATORS

WHEREAS, the Santa Fe Business Incubator is a non-profit corporation that helps entrepreneurs accelerate the growth and success of their businesses;

WHEREAS, the program supports rapid growth technical firms, service companies and manufacturing enterprises;

WHEREAS, the Santa Fe Business Incubator provides its participants with a wide range of business services including on-site technical assistance, training workshops, shared equipment, community resources and access to financial networks;

WHEREAS, the Santa Fe Business Incubator program helps produce strong companies that create new jobs, contributing to the expansion of a thriving local economy;

WHEREAS, the Santa Fe Business Incubator has catered to a variety of startups including the recently launched \$1.25 million bio-science initiative;

WHEREAS, since its inception the Santa Fe Business Incubator has worked with more than 77 firms and helped create more than 800 new jobs for the community. Client entrepreneurs come from all areas of Santa Fe County;

WHEREAS, today there are more than 1,250 incubators in the U.S.;

WHEREAS, in August, 2013 the Santa Fe Business Incubator was named by Entrepreneur Magazine as one of the top five *Best Under The Radar Incubators*.

NOW, THEREFORE, BE IT RESOLVED THAT THE SANTA FE BOARD OF COUNTY COMMISSIONERS does hereby recognize the Santa Fe Business Incubator for its commitment to Economic Development in Santa Fe.

SIGNED AND DATED ON THIS 24th DAY OF SEPTEMBER, 2013

Commissioner Kathy Holian, Chair
District 4

Commissioner Daniel Mayfield, Vice-Chair
District 1

Commissioner Miguel M. Chavez
District 2

Commissioner Robert A. Anaya
District 3

Commissioner Liz Stefanics
District 5

Katherine Miller
County Manager

APPROVED AS TO FORM:

ATTEST:

Stephen C. Ross, County Attorney

Geraldine Salazar, County Clerk



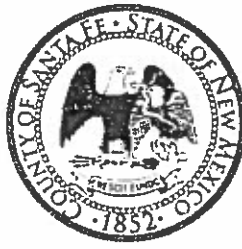
**NO PACKET MATERIAL
FOR THIS ITEM**



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

To: Board of County Commissioners

From: Commissioner Miguel Chavez, and Bernadette Salazar, Human Resources Director *BS*

Date: September 9, 2013

RE: Resolution No. 2013-____A Resolution Establishing The Veterans Hiring Initiative For The Purpose Of Increasing Opportunities For Veterans To Obtain Employment With Santa Fe County

Background and Summary:

In an effort to support our Veterans, Santa Fe County would like to begin a "***Veterans Hiring Initiative***." This hiring initiative will recognize veterans who have served and sacrificed for our Country with honor, courage and dignity. It will also assist in recognizing the economic loss suffered by citizens who have served our country in uniform. The initiative could add great value to the County because veterans are highly trained individuals that possess a multitude of skills and experiences and the motivation to serve the public.

With this program, veterans satisfying the application process and any testing who meet the minimum qualifications for an open job and are on a List of Qualified Applicants Form will be contacted and provided an interview. The invitation to an interview will be automatically extended once a veteran is on a List of Qualified Applicants Form.

For veterans to qualify for the "***Veterans Hiring Initiative***," they must have received an Honorable Discharge from the military. In the case of National Guard members, they must have received an Honorable Discharge if they have completed their military service obligation, or provide documentation of having successfully completed basic training and being currently assigned to an active National Guard unit.

At the August 27, 2013 Santa Fe County Board of County Commission meeting this item was discussed and supported by the Santa Fe County Board of County Commissioners. During that meeting a request was made to provide a list of Veteran protection and preference laws. Attached is the requested list.

Action Requested:

Request approval of the *Resolution Establishing The Veterans Hiring Initiative For The Purpose Of Increasing Opportunities For Veterans To Obtain Employment With Santa Fe County.*

Your consideration is greatly appreciated. Thank you.

Veteran Protection and Preference Laws

- Uniformed Services Employment & Re-employment Rights Act (USERRA)
- Section 10-1-13.2 and Section 20-4-9, NMSA 1978
- Veterans Employment Opportunities Act (VEOA)
- 38 USC, Section 4100
- Family Medical Leave Act as extended for Military reasons

This list is not inclusive of all Veteran protection and preference laws

**There are no current laws mandating New Mexico Counties to have Veteran hiring preferences*

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

RESOLUTION NO. 2013- _____

INTRODUCED BY:

Commissioner Miguel Chavez

**A RESOLUTION
ESTABLISHING THE VETERANS HIRING INITIATIVE FOR THE PURPOSE OF
INCREASING OPPORTUNITIES FOR VETERANS TO OBTAIN EMPLOYMENT
WITH SANTA FE COUNTY**

WHEREAS, the Board of County Commissioners of Santa Fe County ("County") recognizes veterans who have served and sacrificed for our Country with honor, courage and dignity; and

WHEREAS, the County recognizes the economic loss suffered by those who have served our Country in uniform; and

WHEREAS, veterans could add great value to the County because they are highly trained individuals that possess a multitude of skills and experiences and the motivation to serve the public; and

WHEREAS, the County supports providing veterans with opportunities to obtain County employment by enhancing the recruitment of veterans and promoting employment opportunities for veterans with the County that are consistent with veterans' preferences prescribed by law; and

WHEREAS, military veterans must have received an Honorable Discharge from the armed forces of the United States, and for National Guard members they must have received an Honorable Discharge if they have completed their military service obligation, or provide documentation of having successfully completed basic training and being currently assigned to an active National Guard unit; and

WHEREAS, the Board of County Commissioners desires to honor our veterans by establishing and implementing the "Veterans Hiring Initiative."

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County, that:

1. The Human Resources Division shall implement a self-identification process for veterans applying for County jobs to be considered under the county's Veterans Hiring Initiative.
2. The application process would require the veteran-applicant to produce certain documentation confirming their military service or current status.
3. Upon review of employment applications, if a veteran satisfying the application and any testing process meets the minimum qualifications for the job, the veteran shall be contacted and invited to participate in the interview process.

APPROVED, ADOPTED AND PASSED this ____ day of ____, 2013.

BOARD OF COUNTY COMMISSIONERS

Kathy Holian, Chairman

Attest:

Geraldine Salazar, County Clerk

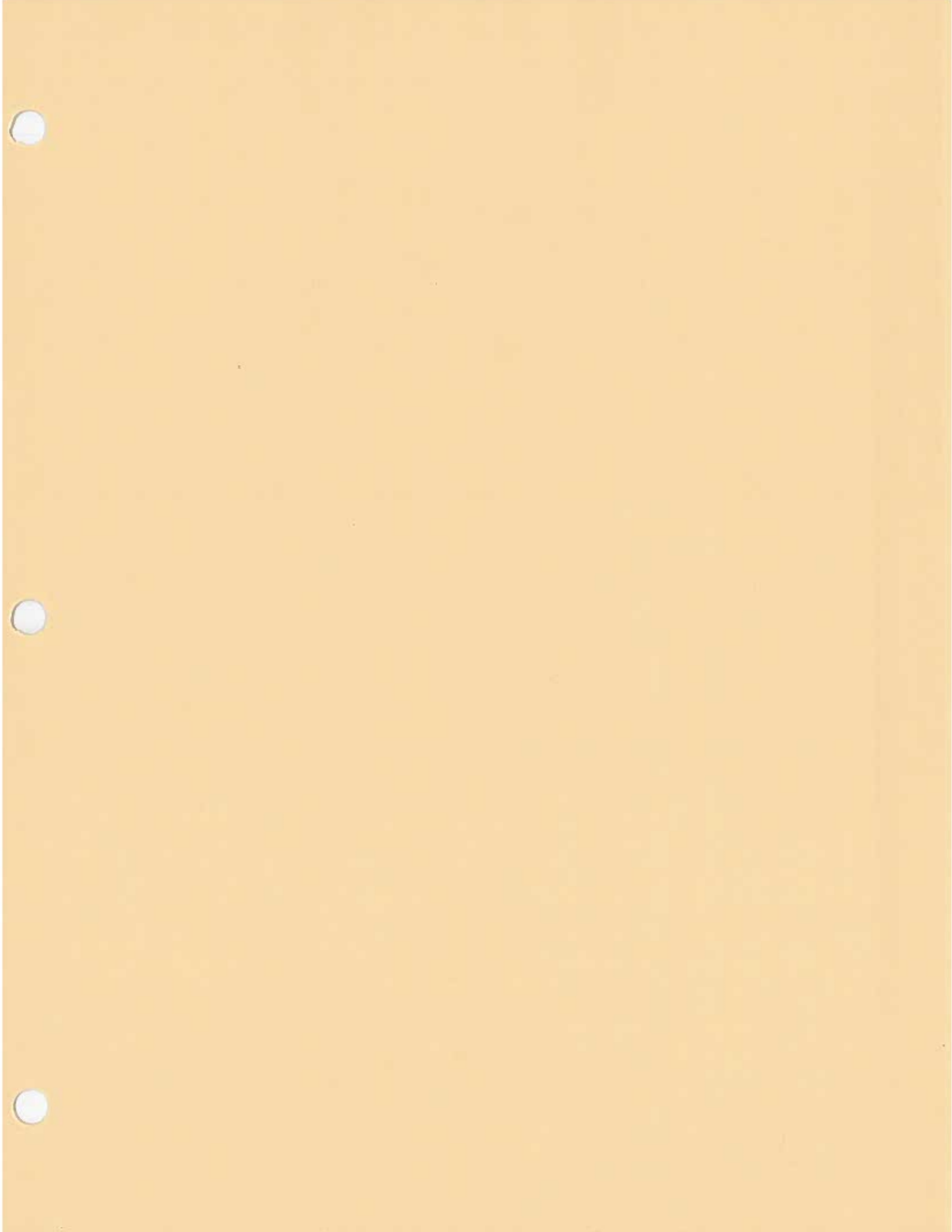
Approved as to Form:

Willie R. Brown

for: Stephen C. Ross, County Attorney



NO PACKET MATERIAL FOR THIS ITEM



**NO PACKET MATERIAL FOR THIS
ITEM
(TABLED)**



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: September 24th, 2013

TO: Board of County Commissioners

FROM: Adam Leigland, Public Works Department Director 9/11/13

VIA: Katherine Miller, County Manager

ITEM AND ISSUE: Appointment of Water Policy Advisory Committee Members

BACKGROUND AND SUMMARY:

On April 30th, 2013 the Board of County Commissioners passed Resolution 2013-42 where a 12 member Water Policy Advisory Committee was created to provide factual information regarding water, wastewater and water management regionally and within Santa Fe County. Committee membership will have representation from the following groups:

- Mutual Domestic Water Consumer's Association
- Soil and Water Conservation District
- Acequia Association
- Estancia Basin Water Planning Committee
- Central Water Planning Area
- Northern Planning Area
- Public Member of the Buckman Direct Diversion Board
- One member from each Commissioner District

Six members will be appointed for an initial 2 year term and six for a 3 year term.

On May 16th, 2013 a press release was issued seeking volunteers to serve on the Water Policy Advisory Committee. The deadline to apply was June 28th, 2013. Letters of interest from 31 individuals were received

Staff has reviewed the list of applicants to match the appropriate expertise and district representation with committee vacancies. With so many qualified applicants this was not an easy task.

ACTION REQUESTED:

Staff recommends appointment of the following members to serve on the Water Policy Planning Committee:

Committee Position	Committee Member	District
Acequia Association	Martha Trujillo	1
Soil and Water Conservation District	Bill King	3
Central Water Planning Area	Sigmund Sibling	5
Northern Planning Area	Shelly Winship	1
Public Member of the Buckman Direct Diversion Board	Consuelo Bokum	4
Mutual Domestic Water Consumer's Association	Gil Tercero	2
Estancia Basin Water Planning Committee	Bud Hagerman	3
District 1 Representative	Mukhtiar S. Khalsa	1
District 2 Representative	Charles Nylander	2
District 3 Representative	Rita Loy Simmons	3
District 4 Representative	Neal Schaeffer	4
District 5 Representative	Steve Rudnick	5

ATTACHMENTS:

Exhibit A- Resolution 2013-42

Exhibit B – Applicant's Letters of Interest and Resumes

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION NO. 2013- 42

A RESOLUTION ESTABLISHING A WATER POLICY ADVISORY COMMITTEE

WHEREAS, the Board of County Commissioners seeks to create and maintain a coherent water policy that encompasses the full spectrum of water use and meets, to the extent possible, the needs of all water users;

WHEREAS, the County's Sustainable Growth Management Plan identifies water as an important County matter and in particular lists seven key water issues and eight keys to sustainability that will require a full community effort to address or implement;

WHEREAS, the County has numerous existing water policy documents that require occasional updating and cross-referencing;

WHEREAS, Resolution 2011-88 requires that a water focus group be convened to discuss aquifer storage and recharge (ASR) when the County begins to address this issue;

WHEREAS, it is in the interest of all residents of Santa Fe County to address water issues in a regional manner, including utility water service, source of supply, irrigation, and water reuse;

NOW, THEREFORE BE IT RESOLVED by the Board of the County Commissioners (BCC) that:

1. A Water Policy Advisory Committee (the Committee) is hereby created for the express purpose of providing factual information to the BCC regarding water, wastewater, and water management within the County and regionally.
2. The Committee shall be comprised of 12 voting members appointed by the BCC.
3. Six members of the Committee will be appointed for an initial term of two years and six members shall be appointed for an initial term of three years. Thereafter Committee members shall serve terms of three years. In the event of a vacancy, the BCC shall appoint a member to serve out the remainder of the departing member's term, taking into consideration any recommendation from the Committee and Public Works staff to fill that vacancy. There shall be no limitation on the number of consecutive terms that a member may serve. Members may be removed by the BCC with or without cause.

4. Committee members shall annually elect a chair and a vice-chair by majority vote of the quorum.
5. The Committee shall meet as often as necessary to carry out its work, but no less than quarterly. The meetings of the Committee shall be held in the County Public Works facility and such other locations as may be conducive to visible and publicly accessible meetings. Meetings shall be held in accordance with all relevant County policies with regard to public notice, open meetings, and rules of order.
6. All matters coming before the Committee shall be resolved by majority vote of the quorum.
7. All Committee members shall reside within the exterior boundaries of Santa Fe County.
 - a. One committee member shall be from a mutual domestic water consumers' association;
 - b. One committee member shall be from a soil and water conservation district;
 - c. One committee member shall be a member of an acequia association;
 - d. One committee member shall be from the Estancia Basin Water Planning Committee;
 - e. One committee member shall be from the central water planning area;
 - f. One committee member shall be from the northern water planning area;
 - g. One committee member shall be the public member of the Buckman Direct Diversion Board;
 - h. The balance of the committee members shall be chosen by commissioners from their respective districts.

Membership should span a wide range of expertise and experience not limited to water. Expertise may be demonstrated by membership in an established community water group; by professional practice in the field of water, wastewater, hydrology, agriculture, or similar; or by other documented relevant professional or volunteer experience. Individuals with expertise in the water policies and practices of other governmental entities in the region are also qualified to serve on the Committee. Interested residents must submit a letter of interest and documented qualifications. In the event more than one individual seeks appointment to a position on the Committee, the Public Works Department will be asked to rank the competing applicants.

8. The County Manager shall appoint a member of the County Staff to serve as liaison to the Committee.
9. The scope of duties of the Committee shall include the following:
 - a. To make recommendations related to water policies in the County land development code, with focus on making recommendations in areas such as: land restoration practices and techniques that lead to water collection, restoration, and conservation; implementation of grey water and closed re-circulating systems; agricultural land

restoration; protection of waterways such as the Santa Cruz River, within existing water resource allocations; etc.

- b. To make recommendations related to County water and wastewater utility growth;
 - c. To assist the County in addressing proposed aquifer storage and recharge activities, design plans, and projects;
 - d. Explore the concept of an independent regional water authority or authorities, including interfacing with the City of Santa Fe, the City of Espanola, the Town of Edgewood, mutual domestic water consumer associations, and other regional water users regarding a regional water authority or authorities;
 - e. Recommend updates to the current 40-year Water Plan, the Conjunctive Management Plan, or other plans;
 - f. Such other water related topics and issues as directed by the BCC.
 - g. Identify and flag applications for appropriations that affect the County.
10. Within two months of the creation of the Committee and at the second BCC meeting in January of each year thereafter, the chair of the Committee shall present to the BCC for approval a draft work plan for the upcoming calendar year or portion thereof. The work plan shall include a list of tasks or topics to be addressed by the Committee over the year along with a delivery schedule of updates, reports, and other deliverables. The chair may from time to time amend this work plan with approval from the BCC. The BCC can amend this work plan at any time. The chair shall update the BCC in accordance with this work plan.
11. The Committee may be incorporated into other County standing committees or otherwise dissolved at any time.

**PASSED, APPROVED AND ADOPTED this 30th day of April, 2013.
THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY**

By:

Kathy Holian
Kathy Holian, Chair

Attest:

Geraldine Salazar
Geraldine Salazar, Santa Fe County Clerk

4/30/13



Approved to form:



Stephen C. Ross, Santa Fe County Attorney

CLERK RECORDED 05/01/2013



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 4

I Hereby Certify That This Instrument Was Filed for
Record On The 1ST Day Of May, 2013 at 03:35:31 PM
And Was Duly Recorded as Instrument # 1704267
Of The Records Of Santa Fe County

Deputy  Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

HORACE LOWRY "BUD" HAGERMAN
KATHERINE ANN KITCH HAGERMAN

P.O. BOX 4666
SANTA FE, NM 87502-4666
(505) 983-4092

July 04, 2013

Karen Torres
Santa Fe County Hydrologist

Dear Madame:

Here is some additional personal background information that I believe you requested.

I started life on the old Chisum Ranch at Southspring near Roswell, NM. Moved at age 5 (1932) with family in the first stages of the Great Depression to the Osita Ranch located in three counties: Santa Fe, Torrance, and San Miguel, near what is now known as the White Lake and Clines Corners area.

I was educated at home until the age of 13 when sent away to an Eastern boarding school, from which I graduated in 1946 and went directly into military service that same year. I, like many others, served one year, technically making us veterans of W.W.II. I was honorably discharged from all duties in 1947.

From there I entered Cornell University, Ithaca, NY, in the School of Agriculture, with a major in Animal Husbandry and a minor in Agricultural Engineering. After graduating in 1951, I returned home to New Mexico to work on the family-owned Osita Ranch until, in 1956 during the Cold War, I was recalled or "re-drafted" to serve in the military as a specialist in the arena of ground-to-air missiles.

Again in 1958 I was discharged honorably and once again returned to work on the family ranch. Most of the Osita Ranch consisted of state lease land, and we lost a good portion of it in 1962 when the current Land Commissioner put it up for sale to the highest bidder. My parents continued to live on the small portion that was left. I moved on, purchasing almost a section of land in the Cieneguilla area containing roughly 80 acres of irrigated cropland, 60 acres of which was an apple orchard of about 3,000 apple trees and another 20 acres devoted to various garden crops, all irrigated by a single well. (known as the Hagerman well).

I worked with the Santa Fe County Agent and with New Mexico State University in Las Cruces and learned the basics about irrigated crops, farming, and water management. (I no longer own this farm.)

Please do not hesitate to ask if there is any additional information that you require.



- Exhibit B

RESUME

NAME: H. L. "BUD" HAGERMAN

ADDRESS: Route 9, Box 57
Santa Fe, NM 87505

TELEPHONE: 983-4092

PERSONAL: Born August 17, 1927 - Roswell, NM
Moved To Santa Fe - 1932
Married, Three Children

SUMMARY OF PROFESSIONAL QUALIFICATIONS:

EDUCATION: Attended Middlesex School, Concord
Massachusetts, Cornell University,
Ithica, New York.

B.S. in Animal Husbandry and Agricultural
Engineering 1951.

Additional short courses, New Mexico
State University, Las Cruces, NM 1960-79

- a) Livestock and crop management
- b) Pesticide application, license
granted

Land use and development workshop,
Albuquerque, New Mexico 1978.

Training in archaeological field
work, 1975-78.

MILITARY: U.S. Army 1946-1947 - Infantry
U.S. Army Artillery 1955-56 - Guided
Missile Specialist.

PROFESSIONAL EXPERIENCE:

1957-1964 Co-manager family ranch consisting of all
phases of livestock operations; sheep,
cattle, range management, ground water
development with design, construction and
maintenance of distribution systems, and
all other duties associated with a major
western ranch operation.

1964-1973 Owner and operator of Las Orillas Ranch
which included orchard and truck garden
crops.

1973-1976 Manager of one property and appraiser of numerous others, within the Rio Grande drainage, for Public Service Land Co.

1977-date Manager of family ranch (see 1957-65 for details).

ADDITIONAL QUALIFICATIONS PUBLIC & COMMUNITY SERVICE

Many years of work with the New Mexico State Cooperative Extension Service, New Mexico State University, Las Cruces, on both livestock and crop research projects including contributions to Extension Service publications.

Past committee member, Santa Fe County Agricultural Stabilization and Conservation Service.

Member New Mexico Cattle Growers Association.

Member New Mexico Wool Growers Association.

early 1970's Board Member and past president Santa Fe Water Basin Users Association.

1977-78 County representative on joint City-County Planning Commission.

1978-79 Member of City of Santa Fe Southwest Sector Plan Advisory Committee.

1981 Member of City of Santa Fe South Sector Plan Advisory Committee.

1984 - 86 Member of Advisory Group to People and Water in New Mexico by Designwrights Collaborative Inc.

1984-85 Member of the Citizens Advisory group participating in joint City, County efforts in forming a permanent Extraterritorial Zoning Plan.

H.L. "BUD" HAGERMAN
Page 3

1986-present Elected to Metropolitan Water Board of
Santa Fe County, District No. 5.

NOTE: This original resume unfortunately was not dated.

Hagerman served on the Metropolitan Water Board 1986-1994.

Please see following page containing updates to resume.

Update (Supplement to) RESUME of H. L. "Bud" Hagerman

Residence: 43 Old Agua Fria Road West (new designation for
Santa Fe, NM 87505 former address)

Business: P.O. Box 4666
Santa Fe, NM 87502-4666

Telephone: (505) 983-4092

Date: September 10, 1998

1986-1994 Elected to two terms on Metropolitan Water
Board, representing District #5, Santa Fe County;
chairman 1990-1994.

1995-1996 Appointed by Santa Fe County to serve on the
Board of Directors of the Santa Fe Water Company;
vice-chairman 1995-1996.

1997-present Appointed as representative of Santa Fe County
to serve on Estancia Basin Water Planning
Committee.

1997-present Elected to Board of Directors, Santa Fe County
Farm Bureau.

Further update to Resume of H.L. "Bud" Hagerman 07/04/2013

1997-2013 Currently serving on Board of Directors,;
Santa Fe County Farm Bureau.

1997-2013 Currently serving as Agricultural Representative
for Santa Fe County on the Estancia Basin Water
Planning Committee.

12,5 M2 + 2

June 28, 2013

To Whom it May Concern,

I am honored to be considered a nominee by Commissioner Chavez to serve on the Santa Fe County Water Board. I am qualified and very interested and committed to serve on this Board.

Thank you for your consideration.

Sincerely,


Gil Tercero

Katherine Miller, County Manager
County of Santa Fe
P.O. Box 276
Santa Fe, NM 87504-0276
kmiller@santafecounty.org

June 7, 2013

Dear Manager Miller:

The Agua Fria Village Association (AFVA) on behalf of the Agua Fria Village Traditional Historic Community (THC) voted at its June 3rd meeting to send a letter of support for Gilbert Tercero to become a member of the Santa Fe County Water Advisory Committee.

Through the years, many of our members and other southwest sector residents, including myself, have worked side-by-side with Gil Tercero on water and community planning issues. Whether it be on private wells, the Agua Fria Community Water Association system, wastewater and storm management, and sewer systems, Mr. Tercero has been a part of that work.

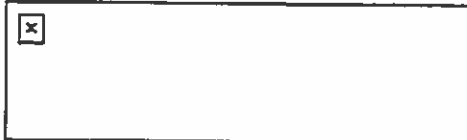
Gil is eminently qualified to be a member of the Water Advisory Committee just by virtue of him being a former Land Use Administrator, Santa Fe County Manager and Vice President of our mutual domestic, the Agua Fria Community Water Association (AFCWA). The committees he has served on and volunteer activities he has been involved with would be enough to qualify two more members and are too numerous to detail here, but we will list the top ten things that have meant the most to Agua Fria Village:

1. He lobbied the N.M. State Legislature to create the Traditional Historic Community designation in state law.
2. He secured water rights and backup water sources for the AFCWA.
3. He has attended protest and determination of water rights meetings at the Office of State Engineer.
4. He has attended water and utility meetings at the Public Regulation Commission.
5. He has served on Santa Fe County's Tax Protest Board.
6. He has participated in "Negotiation" meetings between the City of Santa Fe, County, Interstate Stream Commission, Acequia Bureau, Office of the Governor, and Acequia Agua Fria in an effort to settle the Santa Fe River Basin adjudication Henry G. Anaya, et. al. versus PNM and the City of Santa Fe (active case number D-101-CV-7143347).
7. He has reviewed plans for the City of Santa Fe's Living River Ordinance.
8. He has reviewed plans for County Open Land, Trails and Parks Advisory Committee (COLTPAC) and Santa Fe County's Open Space and Trails Program for the Santa Fe River Trail and restoration.
9. He has worked with Amarante Romero the appointed member of our community to the defunct Metropolitan Water Board (as well as with Bud Hagerman, Frank Diluzio and Don Brayfield, the elected member).
10. He along with Henry Chavez, were co-chairpersons of the Community Planning process for Agua Fria Village.

Mr. Tercero has been an active AFVA member and greatly understands our Traditional Historic Community which has the most at stake in any water discussions of the Santa Fe River.

Thank you for your consideration and attention to this important matter.

Sincerely,



William Henry Mee, President AFVA
(505) 473-3160
WilliamHenryMee@aol.com

Dist 5

Sigmund Silber
22B San Marcos E
Santa Fe New Mexico, 87508
Ssilber1@juno.com
(505) 473-70006

May 31, 2013

To the Selection Committee:

I think I would be a good addition to the new Santa Fe Water Policy Advisory Committee. Some of the tasks you plan to assign to this committee would include

- Make recommendations related to water policies in the Land Development Code
- Make recommendations related to county water and wastewater utility growth
- Assist the county in addressing proposed aquifer storage and recharge activities
- Explore the concept of a regional water authority
- Recommend updates to the 40 year water plan and the Conjunctive Management Plan

I believe I have special qualifications with respect to all of these and related tasks. I say that for the following reasons:

1. I am the Chair of the Jemez y Sangre Water Planning Council Technology Committee and the lead author of the following document. <http://www.ose.state.nm.us/water-info/NMWaterPlanning/regions/jemezysangre/PCTC/PCTC-Report-2007-12-10.pdf> I have since written a book that is based on but takes that analysis further. It is useful if there is interaction between this Advisory Committee and the JyS Water Planning Council. This is already done ably by Karen Torres the County Hydrologist but having me on the Santa Fe County Water Policy Advisory Committee might also be beneficial.
2. You mention aquifer storage and retrieval. I have followed the demonstration project at Rancho Viejo and also the discussions re such a project in Albuquerque. It is not an easy question as it involves hydrology and chemistry. Not sure how an advisory council will help with that issue and sometimes knowing when one cannot not help is useful. But I do note that Santa Fe County has fewer opportunities for conjunctive management than the City of Santa Fe so I understand the interest in this approach. It should be considered but there may be other alternatives to be considered as well.
3. I have an engineering, economics and financial background. At one time I was the V.P. of Planning and Financial Analysis for the Mining Division of Kennecott Copper, a Fortune 500 Company. So not only do I know natural resources. I have experience as a senior executive e.g. you mention a regional water authority and various water utility entities. Providing advice in such areas requires a management perspective.
4. I have computer modeling skills and have developed spreadsheets related to water usage in Santa Fe County and impact of various changes to the County Code with respect to the use of domestic wells for subdivisions. This has always been done on a pro bono basis. This skill may be of value to the Advisory Committee.
5. I have experience with the County Code. I was the Chair of the San Marcos Community Development Plan Committee which created the Community Plan which was approved by the BCC and which wrote the ordinance implementing the Community Plan which was not approved since the County was just starting with its Growth Management Plan.
6. I played a role in the creation of the SF County Oil and Gas Ordinance. You can confirm that with Steve Ross.

7. I was moderately involved in the development of the County Growth Management Plan. I served on the Agriculture Working Group. I have a strong interest in Agriculture and work closely with Frank Ward at NMSU and you can check with him on my knowledge of agriculture economics and agriculture water conservation approaches including many of the misconceptions that are often presented as solutions. Many parts of Santa Fe County have agriculture activity so expertise in water usage in agriculture might be helpful to this Committee. As an aside, we are a Registered Livestock Operation. Mainly we have a small herd of Churro Sheep which is a historical breed in New Mexico.
8. I created and monitored a web serve where discussions take place on New Mexico Water Planning. NMStateWaterPlan@yahoogroups.com
9. I probably am the only one around who understands climate cycles. You can read some of the things I have written on this and also some of my thoughts on water issues at <http://econintersect.com/wordpress/?tag=sig-silber>
10. I know a lot about contingency plans for many reasons including spending a year of my life working on Y2K plans for a number of clients. I think it is an important area for the Water Policy Advisory Committee since it perhaps can take a broader view than any one Santa Fe County entity. Fortunately or unfortunately contingency planning for water requires a broader perspective than just water as the ability to respond to a water upset condition requires a range of resources be available and able to be deployed and the cause of the upset to water infrastructure may also create problems with respect to the ability to respond. Also many water upset conditions will originate outside of the boundaries of Santa Fe County. So one has to be able to take a broad perspective of how to assess risks and deal with those risks in regards to water delivery, wastewater collection and treatment, and fire protection.
11. I have no political ambitions and do not deal with water issues on the basis of political ideology. I think one of the big risks of this Advisory Committee is that it gets bogged down in ideology. It is the role of the BCC to make political decisions. Advisory Committees should provide politically neutral advice and options not personal preferences.

I live in Liz Stefanic's District but right on the border of Commissioner Anayas's District since SR14 is the boundary for two Santa Fe County Districts and I live just east of SR14. The situation is that my community, San Marcos, is split between two BCC Districts and represented by two BCC Commissioners. When it existed, I was very involved with the Galisteo Basin Partnership. I am currently a member of this group <http://galisteo.nmarchaeology.org/index/galisteo-basin-archaeological-site-preservation-working-group.html> and I am a site steward for the San Marcos Pueblo that adjoins my property. So I know this area very well. But based on my work with the JyS Regional Water Planning Council, I think I know the whole County pretty well.

I would be honored to be on this committee and would do so as a public service. I have always been more than willing to be of service to Santa Fe County.

Sincerely,



Sigmund Silber.

SIGMUND SILBER
22B San Marcos Road East
Santa Fe, NM 87508
(505) 473-7006 ssilber1@juno.com

General Experience

Mr. Silber has fifty years of experience with respect to information technology and natural resources. He has held various technical, managerial and executive positions in industry. In his consulting activities, Mr. Silber has served as an independent consultant, an individual contributor within large projects in mid-sized consulting firms and as management within a consulting environment. This demonstrates both experience and flexibility in addressing problems. Mr. Silber has also taught a graduate course in engineering economics and written a book on New Mexico water issues.

Industry Experience

As Vice President of Planning and Financial Analysis for the Metal Mining Division of Kennecott Corporation (since acquired by British Petroleum and now part of Rio Tinto Zinc), Mr. Silber organized a new function which analyzed the performance of each operating unit of this \$1 billion non-ferrous metal mining, smelting, and refining division and implemented strategies for improvement. Responsible for preparation of annual capital and operating budgets. Mr. Silber researched and then successfully championed a controversial change in pricing policy which allowed Kennecott to regain its historical market share.

Prior to being promoted to V.P., Mr. Silber managed a group of Operations Research analysts addressing various operational and planning issues. He developed enterprise-wide resource allocation optimization, maintenance management, equipment replacement, process simulation and control, and price forecasting models. In-process inventories were significantly reduced.

As Manager of Operations Planning and Control for J. M. Fields, a major discount department store chain, Mr. Silber coordinated the development of merchandising systems. Developed a methodology for measuring the profit contribution of advertising expenditures by market, media, and type of items advertised. Advertising effectiveness, critical to retailers, increased by 12.5 %.

As Principal Consultant for John Diebold & Associates, Inc., Mr. Silber had P&L responsibility for a group of consultants developing information systems for major U.S. and European corporations. As a separate responsibility, he developed a methodology for single-day assessment of the suitability of proposed computer leases supporting the leasing activities of Diebold Computer Leasing, Inc., a public company founded by John Diebold. Well over 500 proposed leases were assessed providing Mr. Silber with essentially an inside look at almost every major corporation in the U.S.

As Staff Systems Planner at IBM, Mr. Silber supervised a group of mathematicians which developed manufacturing control systems for internal use and for IBM customers. One of his methodological innovations allowed for parts explosion, critical to MRP, to be done in a far more efficient way than was the state of the art at that time.

As Member of the Technical Staff at Bell Telephone Laboratories, Mr. Silber developed and patented operating systems circuitry and software for the first Electronic Telephone Switching System. Mr. Silber was awarded a patent for a concept and supporting circuitry which allowed for the non-provisioning of real time signal processing equipment in smaller offices by using the application processor to emulate the functions of the real time signal processing unit.

Current and Recent Professional Activities

Chair of the Technology Committee – Jemez y Sangre Water Planning Council

Written a Book on Water Issues in New Mexico.

Written many Articles on Water Issues and Climate

Program Committee State Chapter of American Water Resources Association (AWRA)

President and Founder of The New Mexico Weather Modification Association, Inc.

Site Steward San Marcos Pueblo

Director and Treasurer Earth Works Institute

Director Salvation Army

Director, Treasurer, and Member of the Executive Committee Cerrillos Hills Historical Park Coalition

State Water Issues and Agricultural Issues Chair for the NM Chapter of the Sierra Club

Steering Committee Galisteo Watershed Partnership

Point of Contact for a SNL/LANL Small Business Water-related Project

Member of the Steering Committee Upstream/Downstream Project

Member Land/Water ad hoc group

Chaired the Development of the San Marcos Community Plan

Education

Bachelor of Arts Mathematics, Lehigh University

Masters of Science Mathematics, New York University

Studies towards Ph.D. in Economics New School for Social Research

District 1

Shelley Winship
11 El Potrero Rd
Chimayó, NM 87522

May 31, 2013

Santa Fe County Public Works Department
Attn: Karen Torres
PO Box 276
Santa Fe, NM 87505

Dear Karen:

This letter is to express my interest in serving as a volunteer with Santa Fe County's new Water Policy Committee.

I was asked to put forward my candidacy both by my fellow Supervisors of the Santa Fe/Pojoaque Soil and Water Conservation District, and my fellow Board members of the Greater Chimayó Mutual Domestic Water Consumers Association.

Having also participated in the Santa Cruz Reservoir Capacity Restoration Work Group and the multi-agency Santa Cruz Valley Water Collaboration, and being a certified Master Gardener, farmer, and parciante of the Acequia del Potrero in addition to my four years of involvement with SFPSCD and GCMWCA, I believe I would bring a comprehensive perspective on regional water issues to the committee (as well as a bit of diversity, being a *gringa* and all!).

I have also been an active participant in community meetings throughout the development of Santa Fe County's Strategic Land Use Plan and Land Development Code, and am currently a member of the Core Committee of the citizen group developing a Community Plan for Chimayó.

As a Board member of the Chimayo Cultural Preservation Association and a parciante of the Acequia del Potrero, I have a solid awareness of customs and culture around water use in our region, and understand just how deeply those cultural values are rooted within the communities of northern New Mexico. I know first-hand that issues involving water must always be addressed *con permiso y respeto*.

I thank you for this exciting opportunity to collaborate with the County and my fellow citizens to help create strong and thoughtful water policy for our region, and look forward to hearing from you.

Sincerely,


Shelley Winship

Enclosures: Resume; Notarized Financial Disclosure Statement; Board and Committee Questionnaire; Inquiry Authorization Release

- 2007-2010 Member and pro bono proposal writer, Santa Cruz Reservoir Capacity Restoration Project Working Group
- 2006-Present Pro bono grant writer and legislative liaison, Acequia del Potrero; pro bono grant writer, Boys and Girls Clubs of Chimayó and Abiquiú, Chimayó Cultural Preservation Association

Work Experience:

- March 2011-Present Director of Development, Santa Fe Chamber Music Festival
- January 2008-Present Co-Owner, Mrs. Boots' Berries (raspberry U-pick farm)
- May 2006-February 2011 Major Gifts Officer, Office of Resource Development, The Santa Fe Opera
- April 2001-March 2006 Director of Development, University of Oregon School of Architecture and Allied Arts
- September 1999-April 2001 Assistant Director in Charge of Direct Mail, University of Oregon Annual Fund, Eugene, OR
- April 1997-August 1999 Development Director, FOOD for Lane County, Eugene, OR
- Two-month contract ending April 1997 Development Director, Wilani Council Camp Fire Boys and Girls, Eugene, OR
- May 1988-November 1996 Sales Promotion Copywriter, Nordstrom, Inc. Seattle, WA
- November 1985-May 1988 Personalized Direct Mail Copywriter, Nordstrom Inc., Seattle, WA
- October 1983-Dec. 1984 Special Events Coordinator, Washington Easter Seal Society, Seattle, WA

Education:

- 2004-2006 **Graduate Studies in Not-for-Profit Management and Festival and Events Management, University of Oregon, Eugene, OR**
- 1979-1983 **Bachelor of Arts Degree, University of Puget Sound, Tacoma, WA.**
 Graduated with Honors in English. Major areas of study included English Literature and Writing; Music, Economics and Finance; Communications. ILACA Study Abroad Program, London University and London School of Economics, Fall/Winter 1982-1983. Thesis research conducted at Durham University, Durham, England, and at Trinity College, Dublin, Ireland, Winter 1983.
- 1976-1979 **Diploma with Honors, Kentridge High School, Kent, WA.**

- Other Interests:** Certified Master Gardener, Santa Fe County; farmer; musician.

Dist 5

Steven M. Rudnick
59 Condesa Rd.
Santa Fe, NM 87508

June 7, 2013

Attention: Karen Torres
Santa Fe County Public Works Department P.O. Box 276
Santa Fe, NM 87505

Dear County Commissioners:

I believe that I can bring both perspective and expertise to the Water Policy Advisory Committee and am seeking your appointment. I currently serve as Chairperson of the Eldorado Sustainable Planning and Education Committee (reports to Eldorado Community Improvement Association board), a committee whose interests include the county water planning issues.

As the former Director of the Environmental Studies Program at UMass Boston, and having taught science, policy, and history courses, I have a broad understanding of the difficulties associated with water issues. In fact, much of the content of my courses which explored freshwater issues in the United States was focused on the Southwest because of the unique problems endemic to this region.

While hardly a climate skeptic, I give many lectures on the realities of climate change, I also do not subscribe to the theory that Northern New Mexico is experiencing its future in the current drought. On the other hand, I do not take the current situation lightly and believe that we must take actions that address the current situation because it will recur.

I would appreciate your serious consideration for appointment to this Committee.

Sincerely,

(signed)

Steven M. Rudnick, Ph.D.
Environmental Scientist

STEVEN M. RUDNICK
P.O. Box 33710
Santa Fe, NM 87594
steven.rudnick@umb.edu

Professional Preparation:

B.S., Electrical Engineering, Massachusetts Institute of Technology
M.S., Electrical Engineering, Northeastern University.
Ph.D., Environmental Sciences Program, University of Massachusetts Boston, 1998. Dissertation title:
In Situ Fluorescence Detection of Polycyclic Aromatic Hydrocarbons (PAH) in the Marine Environment. Adviser: Dr. Robert Chen.

Appointments:

Lecturer, Honors Program, University of New Mexico, Albuquerque.
Director, Environmental Studies Program, University of Massachusetts Boston. September 2006 to August 2009. Associate Director, September 2003 – 2006.
Faculty, Environmental Studies Program, University of Massachusetts Boston, 2001-2008.
Campus Nominator Goldwater and Udall Undergraduate Scholarships, University of Massachusetts Boston, 2005 to 2009
Assistant to the Dean of Science University of Massachusetts Boston. Sept 2000 to Aug 2003.
Postdoctoral Research Fellow, University of Massachusetts Boston, Organic Geochemistry Laboratory (Dr. Robert F. Chen). Oct 1998 – 2000).
Research Assistant, University of Massachusetts Boston, Organic Geochemistry Laboratory. 1994-1997
President and Chief Engineer, SMR Electronics, Inc., Sharon, MA. 1966 - 1998
Director of Engineering, SMI Systems, Inc., Newton, MA. 1984 - 1991
Tenured Assistant Professor of Continuing Education, Northeastern University, Center for Continuing Education, Boston, MA. 1966 - 1977
Lecturer, Boston University, Grad. School of Public Communication, Boston, MA. 1969 - 1973

Related publications:

Rudnick, S.M. "Remaking Boston Harbor, Cleaning Up After Ourselves." Remaking Boston: An Environmental History of the City and Its Surroundings. Eds. Anthony N. Penna, Conrad Edick Wright. Pittsburgh: Pittsburgh University Press. 2009. 56-74.
Kuo, DTF; Adams, RG; Rudnick, SM; Chen, RF; Gschwend, PM, 2007. Investigating Desorption of Native Pyrene from Sediment on Minute- to Month-Timescales by Time-Gated Fluorescence Spectroscopy. *Environmental Science and Technology* 41,22
Chen R.F.; Zhang Y.; Vlahos P.; Rudnick S.M., 2002. The fluorescence of dissolved organic matter in the Mid-Atlantic Bight. *Deep Sea Research Part II: Topical Studies in Oceanography* 49:20.
Rudnick, S.M., and Chen, R.F., 1998. Laser-Induced Fluorescence of Pyrene and other Polycyclic Aromatic Hydrocarbons (PAH) in Seawater. *Talanta* 47.

University of Massachusetts Boston, Student Representative to Provost's Award Committee, 1996 - 1998

University of Massachusetts-Boston, Graduate Student Assembly - President, 1995-1997

Sharon Lake Management Committee - Member and Vice-Chairperson 1985 - 1992. Author of lake level management protocol. Initiator of legislation resulting in Massachusetts ban on phosphates in household laundry detergents - 1990.

128 West Resource Recovery Committee - Town of Medfield (MA) Representative, 1975 - 1980.

CPPAX - Executive Board Member, 1970-1980, 1990-2002. Treasurer, 1992-1996.

Other

Video Interview for Minnesota Public Television (in production). 10-minute segment of 30 minute piece on Water Pollution in the United States. Recipient of a 2010 Hometown Video Awards. (www.humanitydisrupted.com)

Video Interview for Salem, MA NGO for presentation to public activist group, city council and YouTube. 10-minute presentation on coal-fired electric plant pollution issues. (<http://www.youtube.com/watch?v=qH8xiZNCQWs>)

Awards and Citations:

University of Massachusetts, President's Five Campus Distinguished Dissertation Award - Biological and Life Sciences 2000.

University of Massachusetts Boston, Chancellor's/Graduate Student Assembly Distinguished Dissertation Award 1999

University of Massachusetts Boston, Environmental Coastal and Ocean Sciences Department, Award for Outstanding Achievement, June 1999.

National Science Foundation, Participant in Dissertation Seminars in Chemical Oceanography, Honolulu, October 1997.

University of Massachusetts Boston, Chancellor's Office, Leadership Recognition Certificate, April 1997.

University of Massachusetts Boston, Office of Graduate Studies, Dean's Award for Distinguished Service, May 1996.

National Society of Professional Engineers, Outstanding Service Certificate, July 1973.

June 28, 2013

To Whom it May Concern,

I am honored to be considered a nominee by Commissioner Mayfield to serve on the Santa Fe County Water Board. I am very interested and committed to serve on this Board.

Thank you for your consideration.

Sincerely,

Martha Trujillo

September 9, 2013

Commissioner Robert Anaya
Santa Fe County Board of Commissioners
Santa Fe, New Mexico

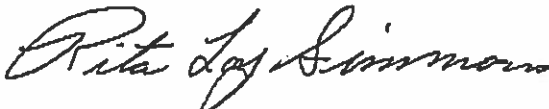
Dear Commissioner Anaya,

It would please me to be considered for an appointment to the District 3 position on the newly formed Water Advisory Committee. As a native of New Mexico and life long resident of the Estancia Valley I feel I could bring farming and ranching points of view to the table. I do try to see the balance between the use of a resource and sound management of the same. The following is a list of my involvement in my community.

1. Founding member of the Entramosa Water and Wastewater Cooperative
2. Licensed Real Estate Broker since 1977
3. Served on several Real Estate Committees
4. Served five years on the Bernalillo County Ground Protection Committee
5. Served 2 years on Santa Fe County COLTPAC from its inception.
6. Now serving as Mayor Pro Tem in the Town of Edgewood, Santa Fe County Road Advisory Committee, Mid Rio Grande Council of Government Water Planning committee and the Estancia Basin Water Planning Committee.

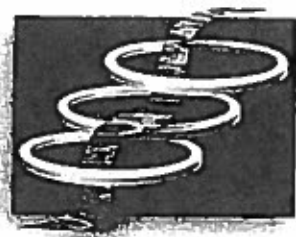
Please feel free to contact me by phone, 505 281-1826, ritaloy@a.com, rsimmons@Edgewood-nm.gov or at 294 Broken Arrow Trail, Edgewood, NM 87015. Thank you so much.

Sincerely,



Rita Loy Simmons, Mayor Pro Tem

District 2



WATERMATTERS, LLC
7 Grillo Loco
Santa Fe, New Mexico 87506
(505) 820-6318/(505) 820-7147 Fax
cdnylander@comcast.net

May 30, 2013

Santa Fe County Public Works Department
Attention: Karen Torres
P.O. Box 276
Santa Fe, NM 87505

Subject: Application for Santa Fe County Water Policy Advisory Board

Dear Ms. Torres:

Please accept this application package for the Santa Fe County Water Policy Advisory Board. I am very interested in supporting Santa Fe County regarding this new advisory board, and I have enclosed the required documents pursuant to your email announcement.

Thank you.

Sincerely,

Charles L. Nylander, President
Watermatters, LLC

Attach: a/s

**Resume for
Charles L. Nylander
7 Grillo Loco
Santa Fe, New Mexico 87506
(505) 820-6318
cdnylander@comcast.net**

Education

MS, Water Resources Management, University of Wisconsin-Madison, 1977
BS, Agriculture, (Wildlife Management), New Mexico State University, 1971

Professional Experience

Charles L. Nylander is the President of WATERMATTERS, LLC. Mr. Nylander has more than 40 years of technical and management experience in water resource management, surface and groundwater characterization and monitoring, wastewater treatment, engineering review, water policy development, environmental regulations and standards, regional and strategic planning, environmental outreach, facilitation, communications, and public involvement.

WATERMATTERS, LLC, JULY 2006-Present

Mr. Nylander retired from Los Alamos National Laboratory in July, 2006 and founded an independent consulting business specializing in water resource management issues. Presently, he is a technical consultant and facilitator for the Española Basin Regional Issues Forum [www.ebrif.org] which is a government-to-government advisory group focused on water and wastewater regional planning issues in the Española Basin, meeting monthly since 2004. EBRIF members represent the 14 city, county, and tribal governments in the Española Basin, located in North Central New Mexico. He recently produced two EBRIF-funded educational films: "Water Sustainability in the Española Basin", and "Penasco", sustainability and self-sufficiency for small water supply systems in New Mexico. He is presently engaged in a Water Use Inventory for Santa Fe County, funded by the Bureau of Reclamation. He is the Chair of the Española Basin Technical Advisory Group (EBTAG) [<http://geoinfo.nmt.edu/ebtag>]; Chair, Jemez y Sangre Regional Water Planning Council; Board President for the Public Lands Interpretive Association (PLIA); Board Member, Club at Las Campanas; Board Member, Las Campanas Water and Sewer Cooperative; Board Member, Western Coalition of Arid States (WESTCAS); technical advisor to the Santa Fe Watershed Association (SFWA); and he is a member of the New Mexico Municipal Environmental Quality Association, New Mexico Acequia Association, New Mexico Water Dialogue, and the Quivira Coalition. He was a former member of Governor Richardson's Blue Ribbon Task Force on Water in New Mexico.

**Resume for
Charles L. Nylander
7 Grillo Loco
Santa Fe, New Mexico 87506
(505) 820-6318
cdnylander@comcast.net**

***Los Alamos National Laboratory, Environmental Stewardship Division,
Program Manager and Project Leader, 2005 – May 31, 2006***

Mr. Nylander managed the Laboratory's Water Research Technical Assistance Office (WRTAO) which was co-located with Santa Fe County's Water Resource Department. The WRTAO provided technical assistance to local governments, pueblos and tribes, and the public regarding water resource issues. He provided educational materials; managed the production of seven educational water resource films; provided technical speakers statewide; promoted collaborations and partnerships on water research and decision-making processes regarding water statewide; and provided a clearinghouse for water-related information. He served as President, Board of Directors, Western Coalition of Arid States (WESTCAS), and facilitated the organization's strategic planning process.

***Los Alamos National Laboratory, Risk Reduction and Environmental
Stewardship Division, Program Manager, 2002 - 2005***

Mr. Nylander managed the Laboratory's Groundwater Protection Program that encompassed the Pajarito Plateau, and implemented activities including hydrogeologic characterization, monitoring, and contaminant source control. He successfully managed the completion of the \$70+ million Hydrogeologic Workplan in 2005. In 2003, Mr. Nylander created and managed the Water Research Technical Assistance Office (WRTAO) in order to provide technical assistance to local governments, Pueblos, and the public in Northern New Mexico. He was actively involved in surface and groundwater quality issues in the arid West. He represented the Laboratory in rulemaking proceedings conducted by the New Mexico Water Quality Control Commission, and served on the Board of Directors, Western Coalition of Arid States (WESTCAS) [served as Treasurer and Chair of Legislative Committee].

***Los Alamos National Laboratory, Environment, Safety, and Health
Division, Program Manager, Project Leader 1995 - 2002***

Mr. Nylander managed the Laboratory's Hydrogeologic Characterization Program, and was responsible for characterizing the hydrogeologic setting beneath the Pajarito Plateau. The seven-year program involved installation of 32 deep wells, modelling, and technical information management. He served as the Project Leader for the development of the Laboratory's Hydrogeologic Workplan. He facilitated quarterly public meetings to present project findings and status. He was actively involved in surface and groundwater quality issues, and served as

**Resume for
Charles L. Nylander
7 Grillo Loco
Santa Fe, New Mexico 87506
(505) 820-6318
cdnylander@comcast.net**

an expert witness for the Laboratory in rulemaking proceedings conducted by the New Mexico Water Quality Control Commission.

Los Alamos National Laboratory, Chemical Science and Technology Division, Program Manager, 1993 - 1995

Mr. Nylander managed the design and construction of waste management treatment facilities. His portfolio of construction projects included five line-item projects and 17 general plant projects totaling in excess of \$120 million. He served as an advisor to the Program Manager for Waste Management Programs and he facilitated the Division's organizational restructuring. He co-authored the Division's business development plan, and contributed to the Division's strategic plan.

Los Alamos National Laboratory, Environmental Management Division, Deputy Division Leader, 1992 - 1993

As Deputy Division Leader, Mr. Nylander co-managed the Environmental Management Division with 500 employees organized in four groups with an annual budget exceeding \$100 million. The Division was responsible for all Laboratory environmental compliance programs, waste management operations, the site-wide environmental restoration project, and environmental chemistry.

Ebasco Environmental Services, Project Leader, 1990-1992

Mr. Nylander managed Ebasco's Rocky Flats Project in Denver, Colorado. His responsibilities included the management of a multi-million dollar basic ordering agreement contract for environmental services. He provided oversight for a large team of consultants performing an average of \$1.5 million in services monthly in the specialties of: biological evaluations, geologic mapping, seismic surveys, chemical waste treatment system design, project controls, and RCRA facility investigations. He served as manager for Ebasco's Environmental Regulatory Team in the Denver office.

Los Alamos National Laboratory, Environment, Safety, and Health Division, Team Leader and Staff Member, 1985 - 1990

Mr. Nylander managed the Laboratory's water quality program activities concerning NPDES permits, spill prevention control and countermeasure planning, Safe Drinking Water Act compliance, and PCB management program. He was responsible for compliance monitoring of more than 141 point source discharges. He conducted Laboratory-wide environmental compliance training for all managers, and presented an overview of environmental compliance to

**Resume for
Charles L. Nylander
7 Grillo Loco
Santa Fe, New Mexico 87506
(505) 820-6318
cdnylander@comcast.net**

over 9,000 Laboratory employees and subcontractors. He was actively involved in surface and groundwater quality issues, and served as an expert witness for the Laboratory in rulemaking proceedings conducted by the New Mexico Water Quality Control Commission.

***New Mexico Environmental Improvement Division, Bureau Chief,
Surface Water Quality Bureau, 1982-1985***

Mr. Nylander managed the surface water quality programs including NPDES permitting, surveillance and monitoring, water and wastewater system construction grants, and §208 planning pursuant to the Clean Water Act. He served as Executive Secretary for the New Mexico Water Quality Control Commission (Commission) and served as Chairman, as required, during monthly meetings. He provided testimony before the Commission and the New Mexico State Legislature on water quality issues.

***New Mexico Environmental Improvement Division, Program Manager,
Water Pollution Control Bureau, 1979-1982***

Mr. Nylander managed the NPDES permit program activities in New Mexico, (non-delegated state). He was responsible for the performance of compliance monitoring inspections, permit drafting, and permit certification. He initiated numerous enforcement actions pursuant to New Mexico Water Quality Control Commission Regulations and the New Mexico Water Quality Act, and participated in rulemaking hearings before the Commission.

***New Mexico Environmental Improvement Agency, Environmental
Scientist/Technician, Water Pollution Control Bureau, 1973-1979***

Mr. Nylander worked as a staff scientist and a technician, implementing the NPDES permit program throughout New Mexico, (non-delegated state). He initiated a comprehensive compliance-monitoring program, and served as an expert witness in the development of Water Quality Control Commission surface and ground water regulations and standards. He initiated the development of the Bureau's technical library and provided testimony at public hearings and legislative committee meetings.

Seasonal and Other Employment, 1967-1973

New Mexico Department of Game and Fish; Concessionaire at National Park Service, Bandelier National Monument (New Mexico); National Park Service, Amistad Recreation Area (Texas); Memorial General Hospital (Las Cruces, New Mexico); and National Park Service Olympic National Park (Washington).

**Resume for
Charles L. Nylander
7 Grillo Loco
Santa Fe, New Mexico 87506
(505) 820-6318
cdnylander@comcast.net**

Publications

A publication list is available on request.

References

A list of references is available on request.

Contact Information

Charles L. Nylander
7 Grillo Loco
Santa Fe, New Mexico 87506
(505) 820-6318 (Home) (505) 820-7147 (Fax)
(505) 470-7230 (Cell Phone)
Email: cdnylander@comcast.net

Karen Torres

From: Schaeffer, Neal, NMENV [neal.schaeffer@state.nm.us]
Sent: Friday, August 09, 2013 11:55 AM
To: Karen Torres
Subject: Water Policy Advisory Committee

Karen,

I think we've only corresponded in the past over 404 permitting. This is totally unrelated.

This email is to apply for a position on the Water Policy Advisory Committee. Kathy Holian asked me to apply.

I am interested in serving on this committee because I think I can contribute, especially to technical discussions. I have limited experience with this kind of service, but I enjoyed it. I served on a Santa Fe County Collaborative Forest Restoration Program (CFRP) steering committee at the Arroyo Hondo property. I also organized my neighborhood (Glorieta Estate) into a Firewise Community, using a grant from the New Mexico Association of Counties; and I testified before the New Mexico Water Quality Control Commission on behalf of my community. My interactions with Commissioner Holian have been about planning/zoning near watercourses.

I haven't seen an application, but hope the following brief CV will suffice. Please let me know if you need more information.

New Mexico Environment Department, Surface Water Quality Bureau (1995 – present) Environmental Scientist/Specialist.

- Primary interests are surface water hydrology and fluvial morphology. Review proposed restoration projects (401 certification of Corps 404 permits).
- Work with stakeholder watershed groups to develop and implement watershed based plans (319 non-point source programs).
- Formerly designed and conducted stream surveys. Originally hired to conduct a state-wide survey of agricultural chemicals in ambient ground and surface waters.
- References available.

Earlier work experience:

- Ground water characterization and remediation. Consultant, mostly investigation/removal of gasoline underground storage tanks.
- Environmental chemist. Manage private lab; operate mass spectrometer.
- Wildlife biologist. Surveys of endangered mammals, reptiles, and birds.

BA Chemistry/BA Biology, Chico State University, 1984

Thanks!

--
Neal Schaeffer
505-476-3017



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

To: Santa Fe County Board of County Commissioners

From: Adam Leigland, Director, Public Works Department 9/11/13

Via: Katherine Miller, County Manager

Date: September 24, 2013

Re: Request Appointment of Five Members To The Capital Improvements Advisory Committee (CIAC). (Public Works Department/Adam Leigland)

BACKGROUND

The Board of County Commissioners previously approved Resolution No. 2013-73 (see attached), establishing the Capital Improvements Advisory Committee (CIAC). The CIAC is required to have 5 members who are County residents with at least 2 members representing the real estate, development, or building industries.

ISSUE

Following establishment of the CIAC, staff placed advertisements in the Santa Fe New Mexican and the Albuquerque Journal North requesting volunteers for the committee. Additionally, staff placed notices on the County's website and issued press releases notifying the public of the request for volunteers to serve on the committee.

Staff has received five applications for the committee. All five applicants have passed the County's volunteer screening process. A summary of the applicants and their back grounds is provided on the following page. The applicants' resumes and letters of interest in serving on the committee are attached with this memo.

Capital Improvements Advisory Committee (CIAC): Applicants Summary

Name	Summary of Professional Background (Based on information from application letter and resume)	Commission District (Based on address from application letter)	Public Works Staff Recommendation
Edward Boniface	Architecture and general contracting	4	Yes
Christopher Graeser	Attorney - land use focus and experience with impact fees	1	Yes
Kathleen Magee	Government administration, policy analysis and real estate	1	Yes
Dag Ryen	Policy analyst and journalism - focus on land use, municipal planning and finances	5	Yes
Thomas Slade	Architecture, historic preservation and real estate	3	Yes

SUMMARY

The Public Works Department is requesting appointment of Edward Boniface, Christopher Graeser, Kathleen Magee, Dag Ryen, and Thomas Slade to the Capital Improvements Advisory Committee per Resolution 2013-73.

BONIFACE + ASSOCIATES

architects & builders
www.boniface.com

Tel. 505.983.5266
Santa Fe

Post Office Box 1032
87504

Fax 505.992.3938
New Mexico

August 30, 2013

Santa Fe County Works Department
Paul Olafson
P.O. Box 276
Santa Fe, NM
87504-0276

Dear Mr. Olafson,

This letter is in response to your call for volunteers for the Capital Improvements Advisory Committee. I would like to offer my time as a volunteer member of this Committee.

I am an Architect registered in New Mexico and Colorado as well as a Licensed and Bonded General Contractor. I currently live in the City of Santa Fe and have resided in Santa Fe County since 1971. I am not an employee of any government entity although I currently serve as a volunteer member of the City of Santa Fe Historic Districts Review Board (HDRB).

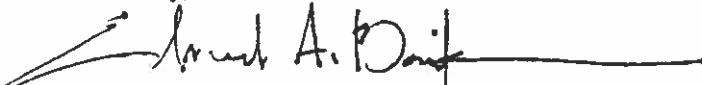
There are two reasons I believe I am qualified to serve in this volunteer position;

1. I understand the need for Capital Improvements and impact fees because of my experience as an architect and bulder.
2. As a long term resident of Santa Fe County I care about the growth, the quality of services and the quality of life in Santa Fe County.

Attached is a copy of my CV. If you have any questions please feel free to contact me.

I look forward to hearing from you.

Sincerely,



Edmund A. Boniface, AIA

curriculum vitae

EDMUND ARTHUR BONIFACE III, AIA

PROFESSIONAL REGISTRATIONS:

REGISTERED ARCHITECT, STATE OF NEW MEXICO, 1991
Registration Number 2620

REGISTERED ARCHITECT, STATE OF COLORADO, 2006
Registration Number 400732

LICENSED NEW MEXICO GENERAL CONTRACTOR, 2005
GB98 License Number 91889

AMERICAN INSTITUTE OF ARCHITECTS (AIA)
Member since 1994

CERTIFICATE HOLDER, N.C.A.R.B.
NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS
Certificate number 42487

MEMBER:
UNITED STATES GREEN BUILDING COUNCIL (U.S.G.B.C.)

HONORS AND AWARDS:

CITY of SANTA FE, HISTORIC DISTRICTS REVIEW BOARD (H.D.R.B.)
Volunteer Member
Appointed 2013

AMERICAN INSTITUTE OF ARCHITECTS (AIA):
AIA Design Excellence Awards
Honor Award for "BEST REMODEL IN DOWNTOWN SANTA FE"
Palacio/Francisco Remodel for a new Restaurant in Downtown Santa Fe
2010

NOMINATED BY MOUNTAIN LIVING MAGAZINE
One of the "100 BEST ARCHITECTS IN THE WESTERN UNITED STATES"
2009

ITALIAN REPUBLIC, ITALIAN TRADE COMMISSION
Awarded a traveling scholarship to participate in the International Trade Fair for marble, design and technology
"Veronfiere International Trade Show", Verona, Italy
2008

AMERICAN INSTITUTE OF ARCHITECTS (AIA):
AIA / Su Casa Design Awards
Honor Award for "BEST INFILL DESIGN IN AN URBAN ENVIRONMENT"
Garcia Street Residences
2007

AMERICAN INSTITUTE OF ARCHITECTS (AIA):
AIA / Su Casa Design Awards
Merit Award for "BEST GENERAL DESIGN"
Talbot Residence
2007

NOMINATED BY MOUNTAIN LIVING MAGAZINE
One of the "100 BEST ARCHITECTS IN THE WESTERN UNITED STATES"
2006

AMERICAN INSTITUTE OF ARCHITECTS (AIA):
Architectural Design Awards
"Honorable Mention for Factor Family Residence"
1995

AMERICAN INSTITUTE OF ARCHITECTS (AIA):
for "Scholarly Pursuit in The Field Of Architecture"
1991

PUBLICATIONS:

BEAUTIFUL ADOBE HOMES (book)

Article: *Beautiful Adobe Homes in Santa Fe, New Mexico*
(2008)

SU CASA (magazine)

Article: "Staying True To Tradition"
Winter 2007/2008

NEW AT HOME (magazine)

Article: "Design Trends in New Mexico"
August 2006

MOUNTAIN LIVING (magazine)

Article: "Santa Fe Style"
2006

SANTA FE HOUSES (book)

Numerous design photos throughout the book
2002

THE SMALL ADOBE HOUSE (book)

Numerous design photos throughout the book
2001

TREND (magazine)

Article: "Robert Reck's Architectural Photo File"
Summer/Fall 2001

HOUSE BEAUTIFUL / "HOME BUILDING ISSUE" (magazine)

Article: "Master Plans"
Fall/Winter 1999

SANTA FEAN (magazine)

Article: "Design Solutions"
January/February 1999

HOUSE BEAUTIFUL / "KITCHENS and BATHS ISSUE" (magazine)

Article: "Suite Dreams"
Spring 1999

SANTA FEAN (magazine)

Article: "A Breath of Tuscany in Old Tesuque"
May 1996

DESIGNER/BUILDER (book)

Article: "The Delight of Details"
March 1995

SANTA FE DESIGN (book)

Article: "Furniture: Santo Domingo Chair"
1990



227 East Palace Avenue, Suite M
PO Box 220
Santa Fe, New Mexico 87504-0220

Christopher L. Graeser
Jessica B. Cooper, of counsel

T 505.424.8175
F 888.781.5968

Wednesday, August 28, 2013

Via: email

Paul M. Olafson
Deputy Director,
Projects, Facilities and Open Space Division
Santa Fe County
PO Box 276
Santa Fe, NM 87504-0276

Re: Capital Improvements and Advisory Committee

Dear Paul,

Please accept my letter of interest in serving on the Capital Improvements and Advisory Committee.

I feel that I would bring a valuable perspective to this committee. I have a good working understanding of the New Mexico Development Fees Act, its requirements and procedures. In my law practice I have assisted developers and applicants with understanding and navigating the process, as well as provided technical assistance to both City and County governments on impact fee issues. My practice, generally, includes significant involvement with land development, public infrastructure and planning matters.

I am a resident of the City – and the County – and I am not an employee of any governmental entity. I have recently completed my service on the City's Community Development Commission and am now free to serve in a different capacity.

Please let me know if you need any additional information.

Sincerely,

Christopher L. Graeser

CHRISTOPHER L. GRAESER

227 East Palace Avenue, Suite M
Santa Fe, New Mexico 87501
(505) 424-8175 / chris@chrisgraeser.com

Law Practice:

The Graeser Law Firm, LLC, Santa Fe, New Mexico 2006 to present

Diverse general real estate, land use and property tax practice including transactions, title/boundary/easement litigation, landlord/tenant and homeowners association issues, law/code drafting, entitlement approvals, protests and appeals, general civil representation and other related legal work. My clients include state/local governments, individuals, nonprofits, neighborhood associations and development applicants. A substantial part of my practice is related to serving as a hearing officer or counsel to administrative adjudicatory boards.

Sommer, Udall, Hardwick, Ahern & Hyatt, LLP Santa Fe, New Mexico 2002 to 2005

Similar practice to above.

Office of the County Attorney, Santa Fe County Santa Fe, New Mexico 1998 to 2002

I participated in all aspects of representing and counseling local government including assessment and property taxation, land use, utilities/water rights, public safety, housing, health and economic development. I had significant involvement in drafting ordinances and resolutions, working with concerned members of the public and neighborhood associations, providing counsel on politically sensitive and potentially divisive issues and balancing the divergent needs of various client constituents. My specific work included litigation through appellate level, providing legal counsel to staff and elected officials both in-office and during public meetings, researching and drafting opinions and contracts and coordinating the work of outside counsel.

Education:

University of New Mexico School of Law Juris Doctor 1998

Exchange semester at **University of Tasmania Law School (Australia)**

Honor Roll, every semester in residence, Dean's List, two semesters

Excellence for the Future awards in Federal Public Land Law and Constitutional History

Internships with the 13th and 2nd Judicial District Attorneys

Torts Tutor UNM Law School

LSAT Coach Kaplan Educational Centers (scored in top 2% nationwide on LSAT)

Long Island University / Southampton College B.A. in History and Political Science 1991

Professional Memberships and Accomplishments:

Member: New Mexico Bar, Federal District of New Mexico, 10th Circuit Court of Appeals, 1st Judicial District

Author: *Pre-emption of New Mexico's Unauthorized Recording Act by Federal Copyright Act*, New Mexico Bar Journal, Spring 2000

Recipient: New Mexico Young Lawyer of the Quarter, Fall 2000

Community Service: Neighborhood Law Center Board (2013); Santa Fe County Teen Court (2012-Present); Santa Fe Community Development Commission (2009-2013); Santa Fe Alliance (2007-2012); Young Lawyers Division, State Bar (Region 2 Director, 2002-2004)

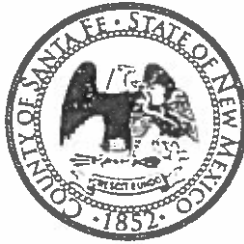
Published Cases: *Georgia O'keeffe Museum v. County of Santa Fe*, 133 NM 297
County of Santa Fe v. Milagro Wireless, LLC, 130 NM 771
San Pedro Neighborhood Association v. County of Santa Fe, 146 N.M. 106



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: September 24, 2013

TO: Board of County Commissioners

FROM: Robert Griego, Planning Manger *RG*

VIA: Penny Ellis-Green, Growth Management Director *PEG*

Re: ACCEPTANCE OF RESIGNATION OF WILLIAM HUTCHINSON FROM
COUNTY OPEN LANDS, TRAILS, AND PARKS ADVISORY
COMMITTEE (COLTPAC) (GROWTH MANAGEMENT)

BACKGROUND AND SUMMARY:

William Hutchinson was appointed as an at large appointment to the County Open Lands, Trails, and Parks advisory committee for a two year term in January 2012 in accordance with Resolution No. 2011-4. Mr. Hutchinson submitted an email to the COLTPAC Chair and Open Space staff indicating his resignation on July 22nd 2013. The term expiration for this appointment is January 2014. Resolution 2011-4 states that The Board shall make an appointment to fill any vacancy of an unexpired term.

ACTION REQUESTED:

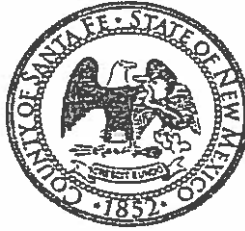
Staff is requesting that the resignation be accepted in order for the BCC to make an appointment to fill the vacancy.



Danny Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

CASE NO. V 13-5170

VARIANCE

RODDY & SHERRY LEEDER, APPLICANTS

ORDER

THIS MATTER came before the Board of County Commissioners (hereinafter referred to as "the BCC") for hearing on August 13, 2013 on the Application of Roddy and Sherry Leeder (hereinafter referred to as "the Applicants") for a variance of Article III, Section 2.4.1a.2.b (Access) of the Santa Fe County Land Development Code ("Code") and a variance of Article 4, Section 4.2 of Ordinance No. 2008-10 (Flood Damage and Stormwater Management) to allow a Land Division of 7.68 acres into four lots. The BCC, having reviewed the Application and supplemental materials, staff reports and having conducted a public hearing on the request, finds that the Application is well-taken and should be granted, and makes the following findings of fact and conclusions of law:

1. The Applicants request approval of a variance of Article III, Section 2.4.1a.2.b (Access) of the Code and Section 4, Section 4.2 of Ordinance No. 2008-10 (Flood Damage and Stormwater Management) to allow a Land Division of 7.68 acres into four lots on property located at 25 Bar D Four Road, within Section 18, Township 20 North, Range 9 East ("Property").
2. Article III, Section 2.4.1a.2.b of the Code provides that all development sites under this Section shall demonstrate that access for ingress and egress, utility service and fire

protection, whether by public access and utility easement or direct access to a public right-of-way, can be provided and meet the requirements of this Code.

3. Article V, Section 8.1.3 of the Code provides that legal access shall be provided to each lot and each lot must directly access a road constructed to meet the requirements of Section 8.2 of the Code. Parcels to be accessed via a driveway easement shall have a twenty foot all weather driving surface, grade of not more than 11%, and drainage control as necessary to insure adequate access for emergency vehicles.
4. Ordinance No. 2008-10 provides that at no time shall a permit be issued for a new dwelling unit, site, lot, parcel or tract of land intended for placement of a habitable structure or creation of a lot where the site is absent all weather access.
5. Article II, Section 3.1 of the Code states that where in the case of a proposed development it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the Applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an Applicant may file a written request for a variance. It further states that a Development Review Committee may recommend to the BCC and the BCC may vary, modify or waive the requirements of the Code upon adequate proof that compliance with the Code provision issue will result in an arbitrary and unreasonable taking of the property or exact hardship, and proof that the variance from the Code will not result in conditions injurious to health or safety. Section 3.1 provides that in no event shall a variance be recommended by the Development Review Committee nor granted by the BCC if by doing so the purpose of the Code will be

nullified. Additionally, it states that in no case shall any variation or modification be more than a minimum easing of the requirements.

6. The Applicants request approval to allow a land division of 7.68 acres. Access to the subject property would be off Bar D Four road which is a dirt road/private roadway crossing a FEMA designated Special Flood Hazard Area, via an existing low water concrete dip section which may be frequently impassible during inclement weather, and is not all weather accessible.
7. The property already has two residences which accesses the property utilizing the existing low water concrete dip section.
8. Staff recommended approval of the Application, and recommended imposition of the following conditions if the Application was granted:
 - a) Water use shall be restricted to 1 acre foot per year. A water meter shall be installed for the proposed home. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office;
 - b) The Applicants shall comply with all Fire Prevention Division requirements at the time of Development Permit Application;
 - c) A restriction must be placed on the Warranty Deed regarding the lack of all weather access to the subject lot. This restriction shall include language as follows: The access to this property does not meet minimum standards set forth by County Ordinance and Code. Site access, including access by emergency vehicles, may not be possible at all times.

9. In support of the Application, the Applicants agreed with the conditions recommended by staff.
10. Following a hearing on the Applicants' request for a variance, the CDRC, at its July 18, 2013 meeting, recommended approval of the variance request.
11. No members of the public spoke in opposition to the Application.
12. In this case strict compliance with the requirements of the Code would result in extraordinary hardship to the Applicants because of unusual topography or other such non-self-inflicted conditions.
13. The granting of the requested variances is a minimal easing of the Code requirements to address obstacles to allow a Land Division on this property.
14. Granting this variance request will not nullify the purpose of the Code.

WHEREFORE the Board of County Commissioners of Santa Fe County hereby approves the request for a variance of Article III, Section 2.4.1a.2.b (Access) of the Code and a variance of Ordinance No. 2008-10 (Flood Damage and Stormwater Management) to allow the land division of 7.68 acres into four lots on property located at 25 Bar D Four Road based upon the Applicants complying with the conditions as stated in Paragraph 8.

IT IS SO ORDERED


this Order was approved by the Board of County Commissioners of Santa Fe County on this ____ day of _____, 2013.

By: _____
Kathy Holian, Chair

Attest:

Geraldine Salazar, County Clerk

Approved as to form:


Stephen C. Ross, County Attorney



COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Discussion. Just a comment and a question for our counsel. I believe Commissioner Mayfield brings up a good point relative to the clarification relative to the license as opposed to water right, and I would ask that we pose that question to the State Engineer directly and to their counsel as to does the County have legal authority, Steve, to remove a right if it's a water right, as opposed to a license? Do we have that authority?

MR. ROSS: Well, Madam Chair, Commissioner Anaya, we're not affecting a water right. Let's assume they have a water right and it's not a license. It's not a 72-12 well, but from what I've heard tonight I think it is. But let's assume it is a water right, it's a three acre-foot right. All the County ordinance does, it says you cannot use more than one acre-foot on this property. It doesn't affect the underlying right. So the right could be transferred to another piece of property, it could be sold to somebody, what have you. Used on some other piece of property, leased to somebody. The County's not opposing a right, a restriction directly on the property right that consists of the water right.

COMMISSIONER ANAYA: Thank you, Madam Chair.

COMMISSIONER MAYFIELD: Madam Chair,

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: So in line with Commissioner Stefanics' motion, staff did ask to remove #3, correct?

CHAIR HOLIAN: Correct. Number 3 was not entered into the record.

COMMISSIONER MAYFIELD: Thank you.

CHAIR HOLIAN: Okay. A motion and a second.

The motion passed by unanimous [5-0] voice vote.

- XVIII.A. 4. **CDRC CASE # V 13-5170 Roddy & Sherry Leeder Variance.**
Roddy & Sherry Leeder, Applicants, Ralph Jaramillo Agent, Request Variances of Article III, Section 2.4.1a.2.b (Access) of the Land Development Code and a Variance of Article 4, Section 4.2 of Ordinance No. 2008-10 (Flood Damage and Stormwater Management) to Allow a 7.68 Acre Tract to Be Divided Into Four Lots. The Property is Located at 25 Bar D Four Road, in the Vicinity of Arroyo Seco, within Section 18, Township 20 North, Range 9 East, (Commission District 1)

JOHN LOVATO (Case Manager): Thank you, Madam Chair, Commissioners. The Applicants request a variance to allow the land division of 7.68 acres into four lots. Access to the subject property would be off Bar D Four road which is a dirt road/private roadway crossing a FEMA designated Special Flood Hazard Area, via an existing low water concrete dip section which may be frequently impassible during inclement weather, and thereby is not all weather accessible.

There are currently three manufactured homes on the property. The applicants state

they have seven children and plan on giving three of their children a lot. Three of the lots are to be divided into 0.75-acre lots and the remaining fourth lot will be 5.43 acres.

On June 20, 2013, the CDRC met and acted on this case, the decision of the CDRC was to recommend approval of the Applicant's request by a 6-0 vote.

Staff recommendation: On May 14, 2013 the Board of County Commissioners voted for approval of a variance to allow the placement of a dwelling unit which accessed the same low-water crossing. Due to this previous decision staff recommends approval of a variance from Article III, § 2.4.1a.2.b, Access, of the Land Development Code and approval of a variance of Article 4, § 4.2 of Ordinance No. 2008-10, Flood Damage and Stormwater Management, subject to the following conditions. Staff recommends imposition of the following conditions. Madam Chair, may I enter those into the record?

CHAIR HOLIAN: Yes, you may.

[The conditions are as follows:]

1. Water use shall be restricted to 1.00 acre-feet per year per lot. A water meter shall be installed for the proposed home. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office (As per Article III, § 10.2.2 and Ordinance No. 2002-13).
2. The Applicant shall comply with all Fire Prevention Division requirements at time of Development Permit Application (As per 1997 Fire Code and 1997 Life Safety Code).
3. A restriction must be placed on the Plat regarding the lack of all-weather access to the subject lot. This restriction shall include language as follows: the access to this property does not meet minimum standards set forth by County Ordinances and Code. Site access including access by emergency vehicles, may not be possible at all times (As per Ordinance #2008-10).

MR. LOVATO: Thank you, Madam Chair, I stand for questions.

CHAIR HOLIAN: Are there any questions for staff? Seeing none, is the applicant here? Mr. Leeder would you please come forward and be sworn in for the record.

RALPH JARAMILLO: I wish I was Mr. Leeder. Ralph Jaramillo.

[Duly sworn, Ralph Jaramillo testified as follows:]

MR. JARAMILLO: Thank you, Madam Chair, Commissioners. Thank you for this evening. Thank you for this time. At this time I just want to, as I did back at the CDRC just reiterate the history about this property. Five years ago Mr. and Mrs. Leeder acquired this property provided they could split this property into four lots. It's been a long five years to get to this point where we are here today. We've been to you all before with getting permits for mobile homes on the property. They have seven children. Way back five years ago as we purchased the property they - we came to the County before we purchased just to see the status as if we can get this property split into four lots.

I met with the County. They said there would be no issue, no problem. At that time the Leeders went ahead and acquired the property with basically getting information from the County. They went ahead and invested thousands of dollars into a survey, thousands of

dollars into septic permits, etc. and getting everything that they needed to get through this, what the County was asking us to do at that time.

When we were ready to submit application and everything to the County at that time, the County, they were just doing what was told, they saying that they couldn't go ahead and do it based on this storm and drainage problem that was occurring in that area. Therefore, I feel, Mr. and Mrs. Leeder feel that at that time, based on what was said at that time they should have been grandfathered in and we probably should have got this done way back then. It's been five years and here we are today. With conditions that are imposed on this and they're not, let's say, light conditions. Imposing some language on this is something that they wrestled with but they do agree with the conditions that are going to be imposed and they understand, the utmost respect and integrity and they want to do the right thing, not only for them but the rest of the community in that area, which follows suit and whoever comes before you would have to meet these conditions as well.

Therefore I do beg and ask for approval of these four lots here tonight, Madam Chair and members of the Commission, for the Leeders and at this time I stand for questions.

CHAIR HOLIAN: Thank you, Mr. Jaramillo. Any questions for Mr. Jaramillo. Okay, seeing none, this is a public hearing. Is there anyone here who would like to come forward to speak on this case? Seeing none, the public hearing is closed. Are there any further questions for staff or Mr. Jaramillo?

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Let me go back to the applicant. Applicant, what is your position with staff conditions?

MR. JARAMILLO: What is my position?

COMMISSIONER MAYFIELD: Well, yes, are you accepting?

MR. JARAMILLO: I believe, talking to my clients, yes. We do agree to the conditions.

COMMISSIONER MAYFIELD: Madam Chair, I'll move for approval with staff conditions.

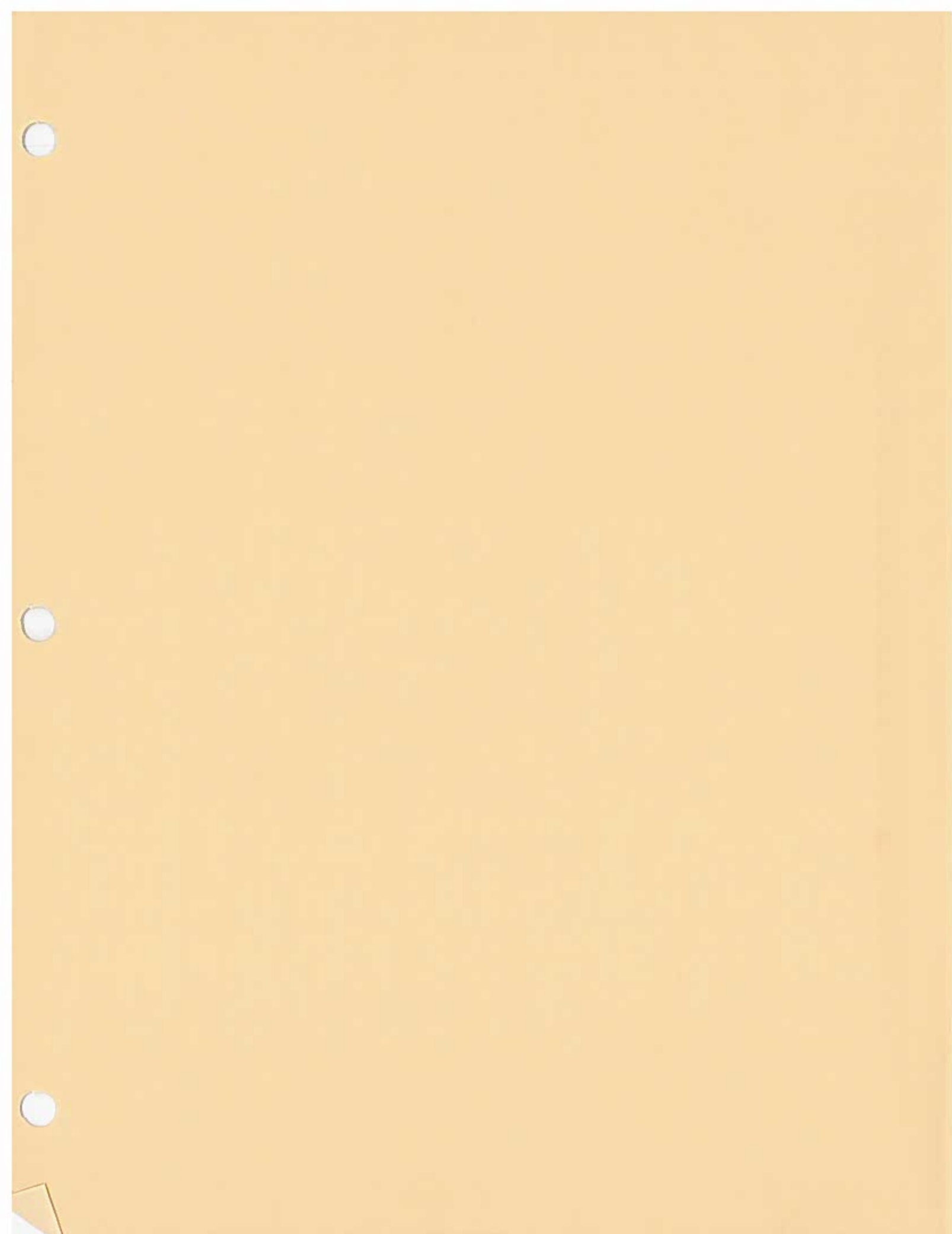
COMMISSIONER ANAYA: Second.

CHAIR HOLIAN: Okay. We have a motion and a second for approval of CDRC Case V 13-5170 with staff conditions.

The motion passed by unanimous [5-0] voice vote.

- XVIII.A. 7. **BCC Case MIS 02-5054 Sonterra Master Plan Extension.** Great Western Investors (Richard Montoya), Applicant, Scott Hoeft, Agent, request an extension of a previously approved Master Plan for a mixed use development (residential, commercial, community) in a Village Zone consisting of 520 residential units and 29,117 sq. ft. of commercial space on 245 acres. The property is located off

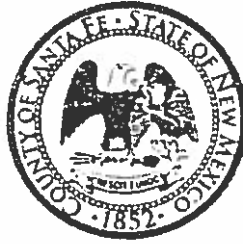




Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: *September 24, 2013*

TO: *Board of County Commissioners*

FROM: *Bill Taylor, Procurement Manager* 9/13/13

VIA: *Katherine Miller, County Manager*
Pablo Sedillo II, Public Safety Director

ITEM AND ISSUE: *BCC Meeting September 24, 2013*

REQUEST APPROVAL OF AMENDMENT 1 TO AGREEMENT #2013-0197-CORR/MS UPGRADES TO YOUTH DEVELOPMENT PROGRAM PLUMBING FIXTURES IN THE AMOUNT OF \$34,220.00, EXCLUSIVE OF GRT (PURCHASING/BILL TAYLOR)

Issue:

The Santa Fe County Corrections Department requests approval of Amendment No. 1 to Agreement #2013-0197-CORR/MS Upgrades to Youth Development Program Plumbing Fixtures to A-Plus Plumbing and Heating, Inc. in the amount of \$34,220.00, exclusive of GRT, which includes:

	Qty	Costs	Total
Acorn Replace Ware Blowout Jet Toilet (3335-W-2-ULF-FVBO-BCN)	18	650.00	\$11,700.00
Acorn Replace Ware Lav W-Hot/Cold (3326-1-BP-4-M-3395)	3	950.00	\$ 2,850.00
Acorn Wall Hung Flush Valve (3332-1-ULF 1.6 GPF-FVBO)	3	880.00	\$ 2,640.00
Installation of 24 Plumbing Fixtures	24	15,400	\$15,400.00
Bond	1	1,630	<u>\$ 1,630.00</u>
		TOTAL	\$34,222.00

Background:

Pursuant to 13-1-103 NMSA 1978, Purchasing Division processed an Invitation to Bid (IFB) #2013-0197-CORR/MS. A-Plus Plumbing and Heating, Inc. was the lowest responsive bidder. It wasn't until the contract was awarded and the work began that the Corrections Department noted that the count of plumbing fixtures was not corrected and additional plumbing fixtures and installation costs needed to be added to complete the project.

Action Requested:

The Santa Fe County Corrections Department requests authorization for Amendment 1 Agreement #2013-0197-CORR/MS with A-Plus Plumbing and Heating, Inc. for additional plumbing fixtures and installations costs to complete the project.

**AMENDMENT NO. 1 TO
AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR UPGRADE OF
PLUMBING FIXTURES AT THE SANTA FE COUNTY YOUTH DEVELOPMENT
PROGRAM AND THE ADULT DETENTION FACILITY**

THIS AMENDMENT is made and entered into as of the ____ day of _____, 2013, by and between Santa Fe County, (hereinafter referred to as "the County") and A-Plus Plumbing and Heating, Inc., located at 54 Sombrillo Road, Espanola, NM 87532 (hereinafter referred to as the "Contractor").

WHEREAS, pursuant to NMSA 1978, Section 13-1-102 and 13-1-105, competitive, sealed bids were solicited in accordance with a formal Invitation For Bid ("IFB") #2013-0197-CORR/MS Upgrades to Youth Development Program Plumbing Fixtures, for the provision of construction and plumbing services to upgrade the plumbing at the Youth Development Program and the Adult Detention Facility;

WHEREAS, A-Plus Plumbing and Heating, Inc. was determined to be the lowest responsive bidder;

WHEREAS, the parties entered into Agreement No. 2013-0197-CORR/MS for the provision of construction and plumbing services to upgrade the plumbing at the Youth Development Program and the Adult Detention Facility;

WHEREAS, pursuant to Article 10. CHANGES IN THE WORK of Agreement No. 2013-0197-CORR/MS, the Owner, without invalidating the Contract, may order changes in the Work;

WHEREAS, Santa Fe County Corrections Department requests that the Contractor install additional fixtures and provide additional plumbing installation services at the Corrections Department Facilities;

WHEREAS, this Amendment No. 1 to Agreement No. 2013-0197-CORR/MS, is a request to increase the compensation by \$34,220.00 for a total not to exceed amount of \$264,920.00, exclusive of NM grt.

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. Article 3 "CONTRACT SUM, of Agreement No. 2013-0197-CORR/MS, subpart 3.1: Delete the reference to "Two Hundred Thirty Thousand Seven Hundred Dollars and No Cents (\$230,700.00.)"

Replace with: "Two Hundred Sixty Four Thousand Nine Hundred Twenty Dollars and No Cents (\$264,920.00)."

2. All other provisions of Agreement No. 2013-0197-CORR/MS, not amended or modified by this Amendment No. 1 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 1 as of the date first written above.

SANTA FE COUNTY:

Kathleen S. Holian, Chair
Santa Fe County Board of County Commissioners

Date

Attest:

Geraldine Salazar
Santa Fe County Clerk

Date

Approved as to Form:

Stephen C. Ross
Stephen C. Ross
Santa Fe County Attorney

8/29/13
Date

Finance Department Approval:

Teresa C. Martinez
Teresa C. Martinez, Director

9/5/13
Date

CONTRACTOR:

[Signature]
(Signature)

9-6-13
Date

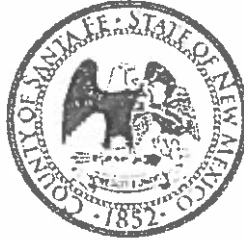
By: Louie Sandoval Pineda
(Name and title)



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

To: Santa Fe County Board of County Commissioners

From: Adam Leigland, Director, Public Works Department *ML 9/11/13*

Via: Katherine Miller, County Manager

Date: September 24, 2013

Re: Request Approval Of An Easement Agreement Between Santa Fe County And 200 West De Vargas Street Association To Accommodate A Portion Of Sidewalk On The Association's Property. (Public Works Department/Adam Leigland)

BACKGROUND

Santa Fe County has constructed the new 1st Judicial Courthouse Complex in downtown Santa Fe. As part of the project, a sidewalk on the north side of the new building was designed and built with a small overlap onto the adjacent property to allow for adequate pedestrian access from Sandoval Street (see attached survey). The owners of the adjacent property, 200 West De Vargas Street Association, agreed to allow for the sidewalk to be placed on their property at no cost to the County.

ISSUE

Following completion of the sidewalk, a survey was completed and reviewed by all parties to document the location of the new sidewalk and the extent of the easement (please see attached). The attached easement agreement memorializes the easement and location of the sidewalk (please see attached).

SUMMARY

The Public Works Department is requesting approval of the easement agreement between Santa Fe County and 200 West De Vargas Association for the placement of a sidewalk partially on the Association's property.

**EASEMENT GRANT AND MAINTENANCE AGREEMENT
FOR PEDESTRIAN WALKWAY ENCROACHMENT
BETWEEN 200 WEST DEVARGAS STREET CONDOMINIUM
AND
SANTA FE COUNTY**

Grantor: 200 West DeVargas Street Condominium

Grantee: Santa Fe County, New Mexico

Location: 200 West DeVargas Street/Sandoval Street
Southern Boundary Line of West Parking Lot
of 200 West DeVargas Condominium Property
(Northern Boundary Line of Steve Herrera
Judicial Complex – First Judicial District
Court Property)

This **EASEMENT GRANT AND MAINTENANCE AGREEMENT FOR PEDESTRIAN WALKWAY ENCROACHMENT** (“Pedestrian Encroachment Easement”) is made and entered into effective as of the _____ day of _____ 2013 (the “Effective Date”), by and between the 200 West DeVargas Street Condominium, by and through its 200 West DeVargas Street Association, a New Mexico nonprofit corporation (“Grantor”) and Santa Fe County, New Mexico (“Grantee”) (collectively hereafter the “Parties”).

Recitals

A. Grantor 200 West DeVargas Street Condominium, is the owner of certain real estate (the “Grantor’s Property”) located in the City and County of Santa Fe, New Mexico, more particularly described on the Amended Declaration therefor filed in the Santa Fe County Real Estate Records, Book 1451, pages 134 – 159 (January 30, 1998).

B. Grantee Santa Fe County is the owner of certain adjacent real estate (the “Grantee’s Property”) located to the south of the 200 West DeVargas Street Condominium’s west side parking area off of Sandoval Street where the County’s Steve Herrera Judicial Complex – First Judicial District Court is located.

C. Grantor and Grantee share a common north-south boundary line on said west side of 200 West DeVargas Street at Sandoval Street, Santa Fe, New Mexico.

D. Grantee wishes to encroach approximately three (3) feet onto Grantor’s Property onto Grantor’s west parking lot on the Grantor’s common south boundary line with Grantee for the purpose of constructing a public, pedestrian walkway to the Steve Herrera Judicial Complex – First Judicial District Court to and from Sandoval Street with associated improvement thereon including a guardrail.

E. The Courthouse walkway Encroachment Easement granted herein is fully described on the attached Exhibit A and incorporated herein (the "Easement Property").

**Grant of Pedestrian Walkway Easement and Maintenance Agreement
Therefor by Grantee**

NOW THEREFORE, in consideration of the premises, the following Grant of Easement and Maintenance Agreement by Santa Fe County, and for other good and valuable considerations, the receipt and sufficient of which are hereby acknowledged, the Parties hereby grant and agree as follows:

1. Easement Grant. Grantor hereby grants to Grantee a pedestrian walkway encroachment easement appurtenant to Grantee's Property for construction and use as a sidewalk and related guard railings therefor and thereon, all as shown and more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Easement Property").

2. Non-Exclusive Public Use of Easement Property by Grantee/Public. Grantee and public may use the pedestrian walkway Easement Property shown on the Attached Exhibit A hereto for pedestrian ingress and egress access to the Grantee's Property (the Steve Herrera Judicial Complex – First Judicial District Court) and for the construction and maintenance of sidewalk thereon and related guard railings thereon.

3. Future Maintenance of the Easement Walkway Property only by Grantee After Construction (Including Snow Removal). After construction of the sidewalk and protective guard railing on the Easement Property and on the Grantor's Property is completed by the Grantee at the Grantee's sole cost, all future maintenance of the sidewalk, guardrails, and the Easement Property itself on Grantor's Property shall be the Grantee's sole responsibility and liability of Grantee's (Santa Fe County) at the Grantee's sole cost and expense, including all snow and ice removal as necessary for public safety and Grantee further agrees herein to maintain and keep current all liability insurance therefor in the future associated with Grantee's use and maintenance responsibilities set forth and agreed to herein.

4. Running of Benefits and Burdens. The grant of easement, covenants, rights and obligations set forth herein in this Pedestrian Walkway Encroachment Easement and Maintenance Agreement shall run with the land and shall be binding upon and inure to the benefit of Grantor and Grantee, any persons or entities acquiring, holding or owning an interest in or to the Grantor Property and the Grantee Property, and their successors and assigns.

5. Governing Law. This Easement Grant and Maintenance Agreement and the rights of the Parties shall be governed by and construed in accordance with the laws of the State of New Mexico.

6. Modification. Any modification of this Easement Grant and Maintenance Agreement must be made in writing and must be executed by the Parties.

7. Entire Agreement. This Easement Grant and Maintenance Agreement constitutes the entire agreement between the Parties pertaining to the Easement Property.

8. Binding Effect. This Easement Grant and Maintenance Agreement shall be binding upon, and inure to the benefit of, the Parties and their respective heirs, successors and assigns.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

GRANTOR - 200 WEST DeVARGAS STREET CONDOMINIUM

BY: 200 WEST DeVARGAS STREET ASSOCIATION, a New Mexico Nonprofit Corporation

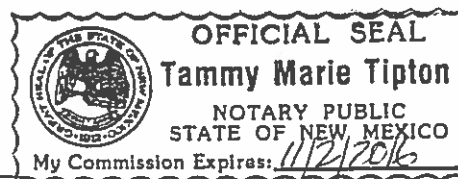
BY:

Joseph F. Canepa
Its President

COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

The foregoing Easement Grant and Maintenance Agreement for Pedestrian Walkway Encroachment was acknowledged before me by Joseph F. Canepa, President of the 200 West DeVargas Street Association, a New Mexico Nonprofit Corporation for 200 West DeVargas Street Condominium.

Notary Public



My commission expires: 11/2/2016

GRANTEE - SANTA FE COUNTY, NEW MEXICO

BY:

Kathleen S. Holian, Chair
Santa Fe Board of County Commissioners

COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

The foregoing Easement Grant and Maintenance Agreement for Pedestrian Walkway Encroachment was acknowledged before me by Kathleen S. Holian, Chair of the Santa Fe Board of County Commissioners, Santa Fe County, New Mexico.

Notary Public


My commission expires: _____

ATTEST:

By: _____
Geraldine Salazar
Santa Fe County Clerk

Date _____

Approved as to form

By:  _____
Stephen C. Ross
County Attorney

Date 7/26/13

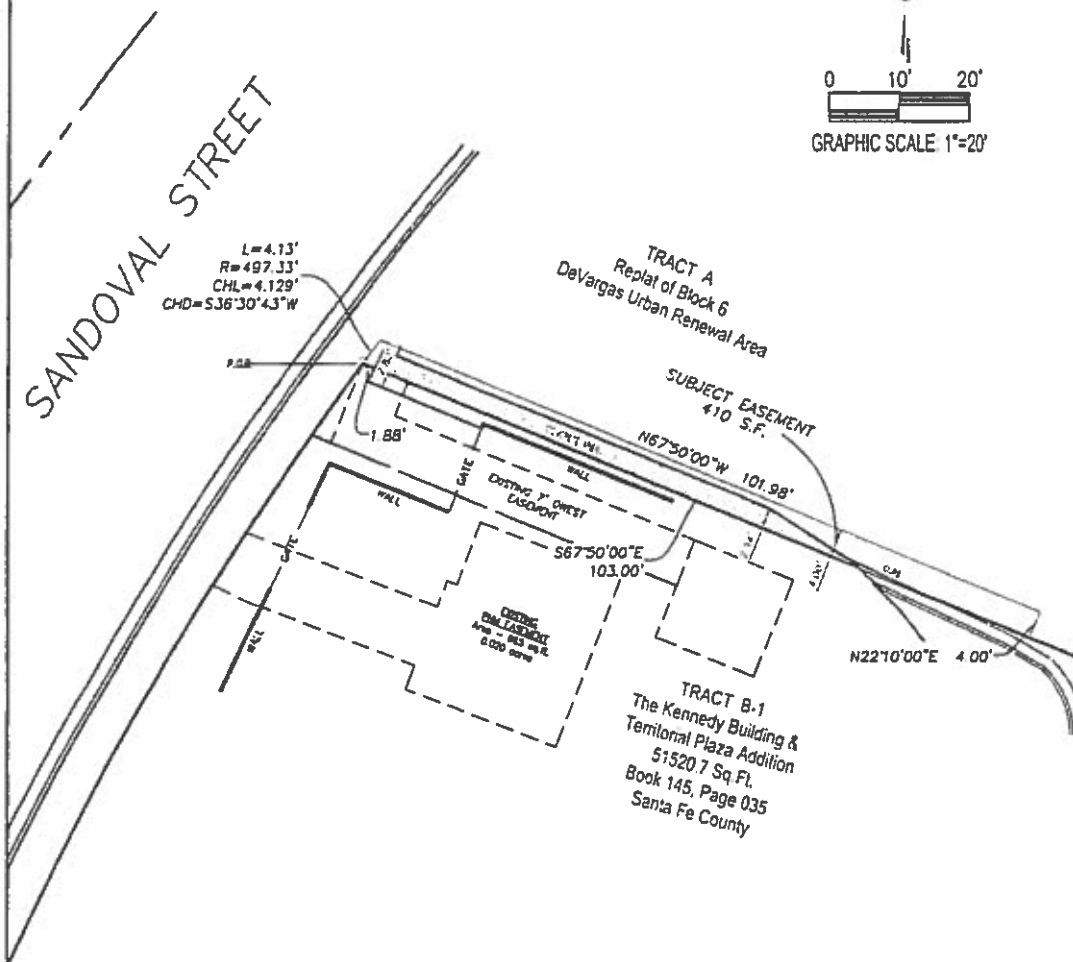
Finance Department

By:  _____
Teresa C. Martinez
Director

Date 7/30/10

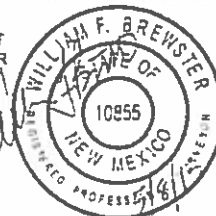
0 10' 20'



GRAPHIC SCALE 1"=20'



I, WILLIAM F. BREWSTER, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR, HEREBY CERTIFY THAT THIS EASEMENT PLAT WAS PREPARED FROM AN ACTUAL GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS EASEMENT PLAT AND THE FIELD SURVEY UPON WHICH IT IS BASED MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT

BY: William F. Brewster 5-8-13
WILLIAM F. BREWSTER DATE
NM REG. P.S. #10855



First Information: Bk. 145/ Pg. 035		County: SANTA FE COUNTY P.W.D.		Sheet First: 410	Acres: 0.0094	
ENCROACHMENT EASEMENT SANTA FE JUDICIAL CENTER					THIS DRAWING IS PROPOSED AND NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS STAMPED, SIGNED AND DATED	
T-17-N, R-9-E, N.M.P.M.,		SANTA FE COUNTY, NEW MEXICO				
Drawn LP	Checked WFB	Approved WFE				
Rev. Date	Description	By	Client	Town	Date: May 8, 2013 Scale: 1" = 20' Project No: 2420549	
			SANTA FE COUNTY	SANTA FE GRANT		
		SOUDER, MILLER & ASSOCIATES 1451 CANDELARIA ROAD N.E. SUITE ALBUQUERQUE, NM 87107 Phone (505) 241-7444 Fax (505) 241-7444 www.soudermiller.com		Sent by the Santa Fe and Ruidoso Municipal Engineers to Planning, Land Use, Revenue, and Public Works Departments for Review and Approval. All other agencies		
		Figure 1 OF 2				



SANTA FE COUNTY, NEW MEXICO
SEC - 24 T - 17 - N. R - 9 - E

Legal Description - Encroachment Easement within
Tract A, Replat of Block 6, DeVargas Urban Renewal Area, Santa Fe, New Mexico

A certain Parcel of land to be used as an easement within Tract A, Replat of Block 6, DeVargas Urban Renewal Area, located adjacent to, and northerly of Tract B-1, the Kennedy Building & Territorial Plaza Addition (filed in Book 145, Page 035 County Clerk), being situate within Section 24, Township 17 North, Range 9 East, N.M.P.M., Santa Fe County, Santa Fe, New Mexico and said Parcel being more particular described as follows:

Beginning at the southwest corner of said Tract A, Replat of Block 6, DeVargas Urban Renewal Area and the northwest corner of said Tract B-1, the Kennedy Building & Territorial Plaza Addition;

Thence, S 67°50'00" E, a distance of 103.00 feet along the line common to said Tract A and Tract B-1 to a point;

Thence, N 22°10'00" E, a distance of 4.00 feet to a point;

Thence, N 67°50'00" W, a distance of 101.98 feet to a point on a non-tangent curve being the easterly right-of-way line for Sandoval Street;

Thence, southwesterly along the arc of a curve to the left a distance of 4.13 feet (said curve having a radius of 497.33 feet and a long chord that bears S 36°30'43" W a distance of 4.129 feet) along said line of Sandoval Street to the POINT OF BEGINNING and containing 410 square feet, or 0.0094 acres of land, more or less.

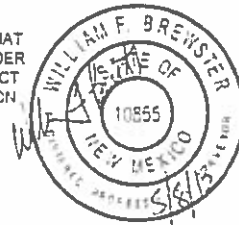
SURVEYOR'S STATEMENT

I, WILLIAM F. BREWSTER, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR, HEREBY CERTIFY THAT THIS EASEMENT PLAT WAS PREPARED FROM AN ACTUAL GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS EASEMENT PLAT AND THE FIELD SURVEY UPON WHICH IT IS BASED MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO AND THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT.

BY

WILLIAM F. BREWSTER
N.M. REG. P.S. #10855

5-8-13
DATE



Bk. 145 / Pg. 035

SANTA FE COUNTY P.W.D.

410

0.0094

ENCROACHMENT EASEMENT
SANTA FE JUDICIAL CENTER

T-17-N, R-9-E, N.M.P.M.

SANTA FE COUNTY, NEW MEXICO

THIS DRAWING IS INCOMPLETE
AND NOT TO BE USED
FOR CONSTRUCTION UNLESS IT IS
STAMPED, SIGNED AND DATED

Drawn LP Checked VFB Approved VFB

Date May 8, 2013

Scale 1" = 20'

Project No. 2420549

Figure 2 OF 2



MILLER, MILLER & ASSOCIATES
2411 CAMPBELL AVE. SUITE 100
SANTA FE, NM 87505
(505) 833-1111
www.miller-miller.com

**EASEMENT GRANT AND MAINTENANCE AGREEMENT
FOR PEDESTRIAN WALKWAY ENCROACHMENT
BETWEEN 200 WEST DEVARGAS STREET CONDOMINIUM
AND
SANTA FE COUNTY**

Grantor: 200 West DeVargas Street Condominium

Grantee: Santa Fe County, New Mexico

Location: 200 West DeVargas Street/Sandoval Street
Southern Boundary Line of West Parking Lot
of 200 West DeVargas Condominium Property
(Northern Boundary Line of Steve Herrera
Judicial Complex – First Judicial District
Court Property)

This **EASEMENT GRANT AND MAINTENANCE AGREEMENT FOR PEDESTRIAN WALKWAY ENCROACHMENT** (“Pedestrian Encroachment Easement”) is made and entered into effective as of the _____ day of _____ 2013 (the “Effective Date”), by and between the 200 West DeVargas Street Condominium, by and through its 200 West DeVargas Street Association, a New Mexico nonprofit corporation (“Grantor”) and Santa Fe County, New Mexico (“Grantee”) (collectively hereafter the “Parties”).

Recitals

A. Grantor 200 West DeVargas Street Condominium, is the owner of certain real estate (the “Grantor’s Property”) located in the City and County of Santa Fe, New Mexico, more particularly described on the Amended Declaration therefor filed in the Santa Fe County Real Estate Records, Book 1451, pages 134 – 159 (January 30, 1998).

B. Grantee Santa Fe County is the owner of certain adjacent real estate (the “Grantee’s Property”) located to the south of the 200 West DeVargas Street Condominium’s west side parking area off of Sandoval Street where the County’s Steve Herrera Judicial Complex – First Judicial District Court is located.

C. Grantor and Grantee share a common north-south boundary line on said west side of 200 West DeVargas Street at Sandoval Street, Santa Fe, New Mexico.

D. Grantee wishes to encroach approximately three (3) feet onto Grantor’s Property onto Grantor’s west parking lot on the Grantor’s common south boundary line with Grantee for the purpose of constructing a public, pedestrian walkway to the Steve Herrera Judicial Complex – First Judicial District Court to and from Sandoval Street with associated improvement thereon including a guardrail.

E. The Courthouse walkway Encroachment Easement granted herein is fully described on the attached Exhibit A and incorporated herein (the "Easement Property").

**Grant of Pedestrian Walkway Easement and Maintenance Agreement
Therefor by Grantee**

NOW THEREFORE, in consideration of the premises, the following Grant of Easement and Maintenance Agreement by Santa Fe County, and for other good and valuable considerations, the receipt and sufficient of which are hereby acknowledged, the Parties hereby grant and agree as follows:

1. Easement Grant. Grantor hereby grants to Grantee a pedestrian walkway encroachment easement appurtenant to Grantee's Property for construction and use as a sidewalk and related guard railings therefor and thereon, all as shown and more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Easement Property").

2. Non-Exclusive Public Use of Easement Property by Grantee/Public. Grantee and public may use the pedestrian walkway Easement Property shown on the Attached Exhibit A hereto for pedestrian ingress and egress access to the Grantee's Property (the Steve Herrera Judicial Complex – First Judicial District Court) and for the construction and maintenance of sidewalk thereon and related guard railings thereon.

3. Future Maintenance of the Easement Walkway Property only by Grantee After Construction (Including Snow Removal). After construction of the sidewalk and protective guard railing on the Easement Property and on the Grantor's Property is completed by the Grantee at the Grantee's sole cost, all future maintenance of the sidewalk, guardrails, and the Easement Property itself on Grantor's Property shall be the Grantee's sole responsibility and liability of Grantee's (Santa Fe County) at the Grantee's sole cost and expense, including all snow and ice removal as necessary for public safety and Grantee further agrees herein to maintain and keep current all liability insurance therefor in the future associated with Grantee's use and maintenance responsibilities set forth and agreed to herein.

4. Running of Benefits and Burdens. The grant of easement, covenants, rights and obligations set forth herein in this Pedestrian Walkway Encroachment Easement and Maintenance Agreement shall run with the land and shall be binding upon and inure to the benefit of Grantor and Grantee, any persons or entities acquiring, holding or owning an interest in or to the Grantor Property and the Grantee Property, and their successors and assigns.

5. Governing Law. This Easement Grant and Maintenance Agreement and the rights of the Parties shall be governed by and construed in accordance with the laws of the State of New Mexico.

6. Modification. Any modification of this Easement Grant and Maintenance Agreement must be made in writing and must be executed by the Parties.

7. Entire Agreement. This Easement Grant and Maintenance Agreement constitutes the entire agreement between the Parties pertaining to the Easement Property.

8. Binding Effect. This Easement Grant and Maintenance Agreement shall be binding upon, and inure to the benefit of, the Parties and their respective heirs, successors and assigns.

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GRANTOR - 200 WEST DeVARGAS STREET CONDOMINIUM

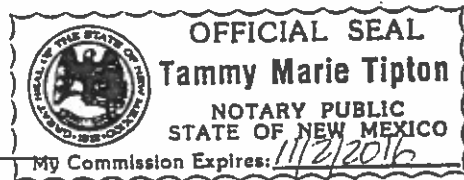
BY: 200 WEST DeVARGAS STREET ASSOCIATION, a New Mexico Nonprofit Corporation

BY: Joseph F. Canepa
Joseph F. Canepa
Its President

COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

The foregoing Easement Grant and Maintenance Agreement for Pedestrian Walkway Encroachment was acknowledged before me by Joseph F. Canepa, President of the 200 West DeVargas Street Association, a New Mexico Nonprofit Corporation for 200 West DeVargas Street Condominium.

Tammy Marie Tipton
Notary Public



My commission expires: 11/2/2016

GRANTEE - SANTA FE COUNTY, NEW MEXICO

BY: _____
Kathleen S. Holian, Chair
Santa Fe Board of County Commissioners

COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

The foregoing Easement Grant and Maintenance Agreement for Pedestrian Walkway Encroachment was acknowledged before me by Kathleen S. Holian, Chair of the Santa Fe Board of County Commissioners, Santa Fe County, New Mexico.

Notary Public

My commission expires: _____


ATTEST:

By: _____ Date _____
Geraldine Salazar
Santa Fe County Clerk

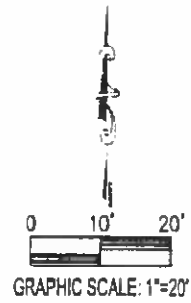
Approved as to form

By:  Date 7/26/13
Stephen C. Ross
County Attorney

Finance Department

By:  Date 7/30/13
Teresa C. Martinez
Director

SANTA FE COUNTY, NEW MEXICO
SEC - 24 T - 17 - N, R - 9 - E



SANDOVAL STREET

L=4.13'
R=497.33'
CHL=4.129'
CHD=536°30'43"W

TRACT A
Replat of Block 6
DeVargas Urban Renewal Area

SUBJECT EASEMENT
410 S.F.

N67°50'00"W 101.98'

S67°50'00"E 103.00'

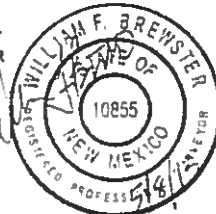
N22°10'00"E 4.00'

TRACT B-1
The Kennedy Building &
Territorial Plaza Addition
51520.7 Sq. Ft.
Book 145, Page 035
Santa Fe County

SURVEYOR'S STATEMENT

I, WILLIAM F. BREWSTER, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR, HEREBY CERTIFY THAT THIS EASEMENT PLAT WAS PREPARED FROM AN ACTUAL GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS EASEMENT PLAT AND THE FIELD SURVEY UPON WHICH IT IS BASED MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT.

BY: William F. Brewster 5-8-15
WILLIAM F. BREWSTER
NM REG. P. S. #10855



Part Information: Bk. 145/ Pg. 035		Client: SANTA FE COUNTY P.W.D.		Subtract 000 410	Acres 0.0094
<p align="center">ENCROACHMENT EASEMENT SANTA FE JUDICIAL CENTER</p> <p align="center">T-17-N, R-9-E, N.M.P.M., SANTA FE COUNTY, NEW MEXICO</p>					
Rev. Date:	Description	By	Client	Town	Date
			SANTA FE COUNTY	SANTA FE GRANT	May 8, 2013
<p align="center">EXHIBIT A-1</p>				<p align="center">Scale: 1" = 20'</p> <p align="center">Project No: 2420549</p> <p align="center">Figure 1 OF 2</p>	

SANTA FE COUNTY, NEW MEXICO
SEC - 24 T - 17 - N, R - 9 - E

Legal Description - Encroachment Easement within

Tract A, Replat of Block 6, DeVargas Urban Renewal Area, Santa Fe, New Mexico

A certain Parcel of land to be used as an easement within Tract A, Replat of Block 6, DeVargas Urban Renewal Area, located adjacent to, and northerly of Tract B-1, the Kennedy Building & Territorial Plaza Addition (filed in Book 145, Page 035 County Clerk), being situate within Section 24, Township 17 North, Range 9 East, N.M.P.M., Santa Fe County, Santa Fe, New Mexico and said Parcel being more particular described as follows:

Beginning at the southwest corner of said Tract A, Replat of Block 6, DeVargas Urban Renewal Area and the northwest corner of said Tract B-1, the Kennedy Building & Territorial Plaza Addition;

Thence, S 67°50'00" E, a distance of 103.00 feet along the line common to said Tract A and Tract B-1 to a point;

Thence, N 22°10'00" E, a distance of 4.00 feet to a point;

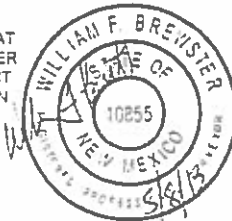
Thence, N 67°50'00" W, a distance of 101.98 feet to a point on a non-tangent curve being the easterly right-of-way line for Sandoval Street;

Thence, southwesterly along the arc of a curve to the left a distance of 4.13 feet (said curve having a radius of 497.33 feet and a long chord that bears S 36°30'43" W a distance of 4.129 feet) along said line of Sandoval Street to the POINT OF BEGINNING and containing 410 square feet, or 0.0094 acres of land, more or less.

SURVEYOR'S STATEMENT

I, WILLIAM F. BREWSTER, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR, HEREBY CERTIFY THAT THIS EASEMENT PLAT WAS PREPARED FROM AN ACTUAL GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS EASEMENT PLAT AND THE FIELD SURVEY UPON WHICH IT IS BASED MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT.

BY William F. Brewster 5-8-13
WILLIAM F. BREWSTER DATE
NM REG. P.S. #10855



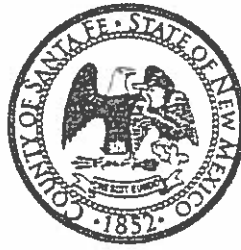
Bk. 145 / Pg. 035		SANTA FE COUNTY P.W.D.		410	0.0094	-	+
ENCROACHMENT EASEMENT SANTA FE JUDICIAL CENTER						THIS DRAWING IS TO BE USED AND NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS STAMPED, SIGNED AND DATED Drawn: [] Checked: [] Approved: [] Date: May 8, 2013 Scale: 1" = 20' Project No: 2420549 Figure 2 OF 2	
T-17-N, R-9-E, N.M.P.M. SANTA FE COUNTY, NEW MEXICO							
Owner: []		Description: []		City: SANTA FE COUNTY		Town: SANTA FE GRANT	
EXHIBIT A-2						Surveyor: WILLIAM F. BREWSTER	
						Professional Seal: []	



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: *Sep 9, 2013*

TO: *Board of County Commissioners*

FROM: *Adam Leigland, Public Works Department Director* *9/9/13*

VIA: *Katherine Miller, County Manager* *KM*

ITEM AND ISSUE: *BCC Meeting Sep 24, 2013*

**APPROVAL OF AN AGREEMENT BETWEEN SANTA FE COUNTY AND THE
ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION REGARDING
CONSTRUCTION AND MAINTENANCE OF MULTI-USE TRAILS WITHIN THE
ELDORADO COMMUNITY**

Within the Eldorado at Santa Fe Subdivision is a network of approximately ten miles of paved and unpaved multi-use trails that have been constructed by various entities over the years. The trails are currently maintained by the Eldorado Community Improvement Association (ECIA), which is the Eldorado homeowners association. In 2003, the County and ECIA signed two maintenance agreements for two segments of these trails (along Avenida Eldorado, Avenida de Compadres, and Avenida Casa del Oro) in which the County granted a license to the ECIA to construct and maintain the trails within County right-of-way. These agreements are attached for review.

ECIA now desires to improve upon the 2003 agreements and to extend the agreement to cover all multi-use trails within the subdivision, and to this end, a new, broader agreement has been drafted and is presented here for approval. The primary provisions of the subject agreement are as follows:

1. The County will construct all new trails, regardless of funding source, in the future.
2. ECIA will maintain all trails, utilizing the same third-party pavement rating system PASER that the County uses for County roads.
3. The County will own the trails.
4. The 2003 agreements are incorporated.

This agreement will pave the way for a better working relationship with Eldorado and indeed other private associations, as well as the execution of a \$90,000 project to improve the ECIA trail system.

REQUESTED ACTION:

Approval of subject agreement

**AGREEMENT
BETWEEN SANTA FE COUNTY
AND THE
ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION**

THIS AGREEMENT (the "Agreement") is entered into as of the _____ day of _____, 2013, by and between the **COUNTY OF SANTA FE** (hereinafter the "County"), and the **ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION, INC.**, a New Mexico nonprofit corporation (hereinafter "ECIA"). The parties recite and agree as follows:

RECITALS

WHEREAS, the ECIA is the homeowners' association for the Eldorado at Santa Fe Subdivision located in Santa Fe County, New Mexico;

WHEREAS, the ECIA developed and maintains a comprehensive master plan of current and future paved and unpaved multi-use trails within the Eldorado Subdivision (the "Master Plan");

WHEREAS, the County and ECIA have two existing agreements, one dated May 27, 2003, and the other July 29, 2003 (the "2003 Agreements"), in which the County granted a license to the ECIA to construct and maintain certain multi-use trails along Avenida Eldorado, Avenida de Compadres and Avenida Casa del Oro in the Eldorado Subdivision;

WHEREAS, pursuant to the 2003 Agreements, the ECIA completed the construction of several multi-use trails within County right-of-way on Avenida Eldorado, Avenida de Compadres, and Avenida Casa del Oro in the Eldorado Subdivision;

WHEREAS, pursuant to the terms of the 2003 Agreements, all the multi-use trails are within County right-of-way and in accordance with the 2003 Agreements, the Trails are owned by the County;

WHEREAS, the ECIA's maintenance of the multi-use trails on Avenida Eldorado, Avenida de Compadres and Avenida Casa del Oro is provided through the license granted by the County to the ECIA in the 2003 Agreements;

WHEREAS, the County supports the ECIA's ongoing efforts and future plans for additional multi-use trails in the Eldorado Subdivision as indicated in the Master Plan;

WHEREAS, the County uses the Pavement Surface Evaluation and Rating ("PASER") system for non-pavement and pavement condition assessment of its road transportation network. PASER rates paved surfaces on a scale of 1 to 10, 10 being the highest; and unpaved surfaces on a scale of 1 to 4, 4 being the highest;

WHEREAS, the ECIA and the County desire to enter into this Agreement to provide for the ongoing and future maintenance of all existing multi-use trails, including those provided for in the 2003 Agreements, within the Eldorado Subdivision, as well as maintenance of proposed trails.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties hereto agree as follows:

Agreement

1. The Trails. The terms and conditions of this Agreement do not apply to: a) the trail known as the "Santa Fe Rail Trail" which is being developed by the County adjacent to the railroad track used by the Santa Fe Southern Railway running north-south through the Eldorado Subdivision. For purposes of this Agreement, references to "Trails" shall mean all the multi-use trails within the Eldorado Subdivision that are designated for non-motorized pedestrian, bicycle and other recreational uses. The Master Plan attached hereto as Exhibit A depicts the location of all present and future multi-use Trails within the Eldorado Subdivision.
2. Maintenance of the Trails. Except for the multi-use trail constructed by the County that runs east-west along Avenida Vista Grande from the intersection of Caliente Road with Avenida Vista Grande to the intersection of Avenida Buena Ventura with Avenida Vista Grande (the "County Trail"), any Trail located within a County right-of-way, including the completed trails on Avenida Eldorado and Avenida Case del Oro and Avenida Eldorado and Avenida de Compadres shall be maintained by the ECIA as provided in this Agreement. The County shall be fully responsible for maintenance of the County Trail.
3. PASER. As part of its maintenance duties, the ECIA shall employ the PASER rating system to the Trails located within the County right-of-way in the Eldorado Subdivision. The County and the ECIA shall meet annually during the term of this Agreement to discuss the ECIA's application of PASER to the Trails and the ECIA and the County's plans for future design and construction of multi-use trails within the Eldorado Subdivision. As of the execution of this Agreement, the ECIA and the County have concurred on the PASER ratings of the present Trails within the Eldorado Subdivision.
4. License. Except for the County Trail, the County hereby grants to the ECIA a perpetual license for purposes of access for maintenance and other related purposes, to all Trails within County right-of-way in the Eldorado Subdivision.
5. Design and Construction of Trails. All Trails proposed for construction within a County right-of-way within the Eldorado Subdivision shall be designed and constructed by the County and upon completion of construction, shall be maintained by the ECIA as long as a trail's condition is a PASER 4 or higher. The Master Plan shall be the guide for prioritizing and scheduling future design and construction efforts for Trails in the Eldorado Subdivision. The design and construction by the County shall take into consideration the Master Plan and the ECIA's input and consultation.

6. Title to Trails and Maintenance by ECIA.

a. The existing Trails and those completed in the future shall belong to the County and shall be maintained by the ECIA pursuant to this Agreement. The ECIA shall make a good faith effort to maintain the Trails to a PASER 4 or higher. The ECIA shall not be obligated under this Agreement to maintain any Trail whose condition is a PASER 3 or lower.

b. The duty to maintain any Trail determined to have a PASER 3 or lower shall revert to the County. The County shall make a good faith effort to mitigate the further deterioration of any Trail that is determined to have a PASER 3 or lower. Such mitigation efforts shall include without limitation re-building a trail to a PASER 4 or higher, closing a trail or other efforts deemed appropriate by the County and as permitted by available funding. If the County maintains or mitigates a Trail that was previously a PASER 3 or lower such that its condition is a PASER 4 or higher, the ECIA will resume the duty to maintain said Trail pursuant to this Agreement.

7. Funding for Trail Construction. The design and construction of new multi-use trails in the Eldorado Subdivision may be completed using funds secured or acquired by the County or the ECIA. The parties shall work cooperatively to plan and implement design and construction of new trails whose completion shall be consistent with the Master Plan and any planning and development policies or ordinances of the County.

8. Indemnification. The ECIA shall defend, indemnify, and hold harmless the County, its Elected Officials, agents, and employees, from and against any and all claims, actions, suits, or proceedings of any kind brought against the said parties for, or on account of any matter arising from or related to ECIA's maintenance of the Trails as provided in this Agreement.

9. Termination by the Parties; Revocation of License. If, through any cause, the ECIA shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the ECIA shall violate any of the covenants, agreements, or the license granted in this Agreement, the County shall thereupon have the right to terminate this Agreement by giving written notice to the ECIA of such termination and specify the effective date thereof at least ten (10) days before the effective date of such termination or revocation of the license granted herein. Notwithstanding the above, the ECIA shall not be relieved of liability to County for damages sustained by the County by virtue of any breach of this Agreement by the ECIA. This Agreement may be terminated by either party upon the giving of thirty (30) days' written notice to the other party.

10. Each and every Recital set forth above is hereby incorporated into this Agreement as though set forth in full herein.

12. Amendment. This Agreement may not be modified, altered, changed, or amended orally but, rather, only by an instrument in writing executed by the parties hereto.

11. Entire Agreement. This Agreement comprises the entire understanding and agreement of the parties hereto on the subject matter herein contained and supersedes and incorporates all prior agreements, including the Agreements dated May 27, 2003, and July 29, 2003 between the

County and the ECIA, with respect to the subject matter hereof not expressly set forth herein, is governed by the laws of the State of New Mexico, and shall be binding upon and inure to the benefit of the parties, their successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in the year and on the date first written above.

ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION, INC.

By  Date Sept. 6, 2013
Dag Ryan, President

SANTA FE BOARD OF COUNTY COMMISSIONERS

Kathleen S. Holian, Chair

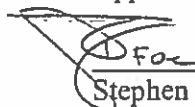
Date _____

ATTEST:

Geraldine Salazar, County Clerk

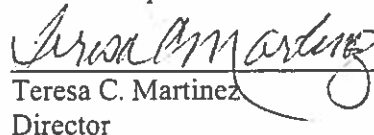
Date _____

Approved as to form


Stephen C. Ross, County Attorney

Date 9/6/13

Finance Department


Teresa C. Martinez
Director

Date 9/6/13

Eldorado Multi-Use Path Master Plan

Legend

Parcels

- Existing Multi-Use Paved Paths
- Existing Multi-Use Unpaved Paths
- Existing County-Maintained Multi-Use Paved Paths

Roads

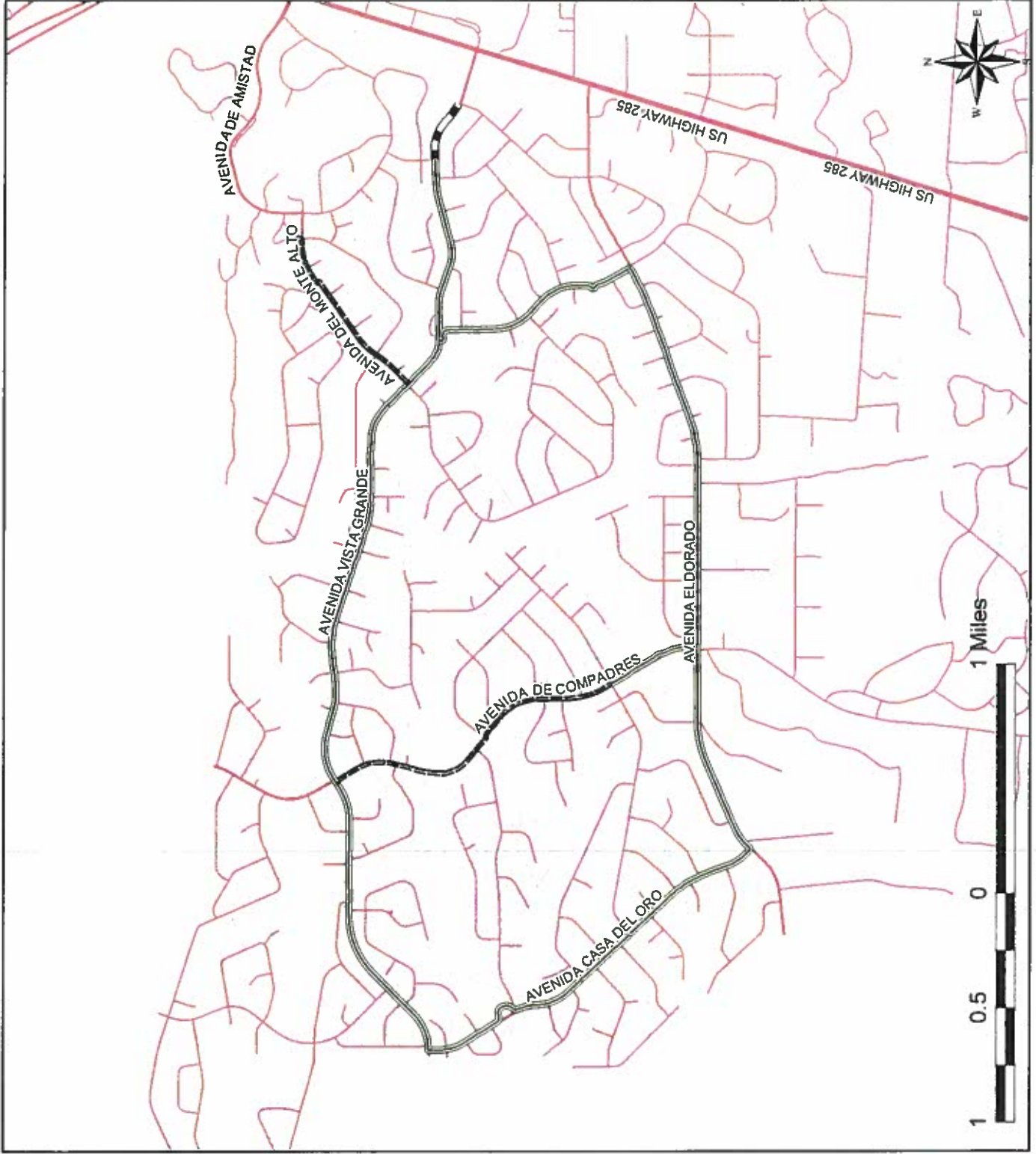
- Minor Roads
- Major Roads

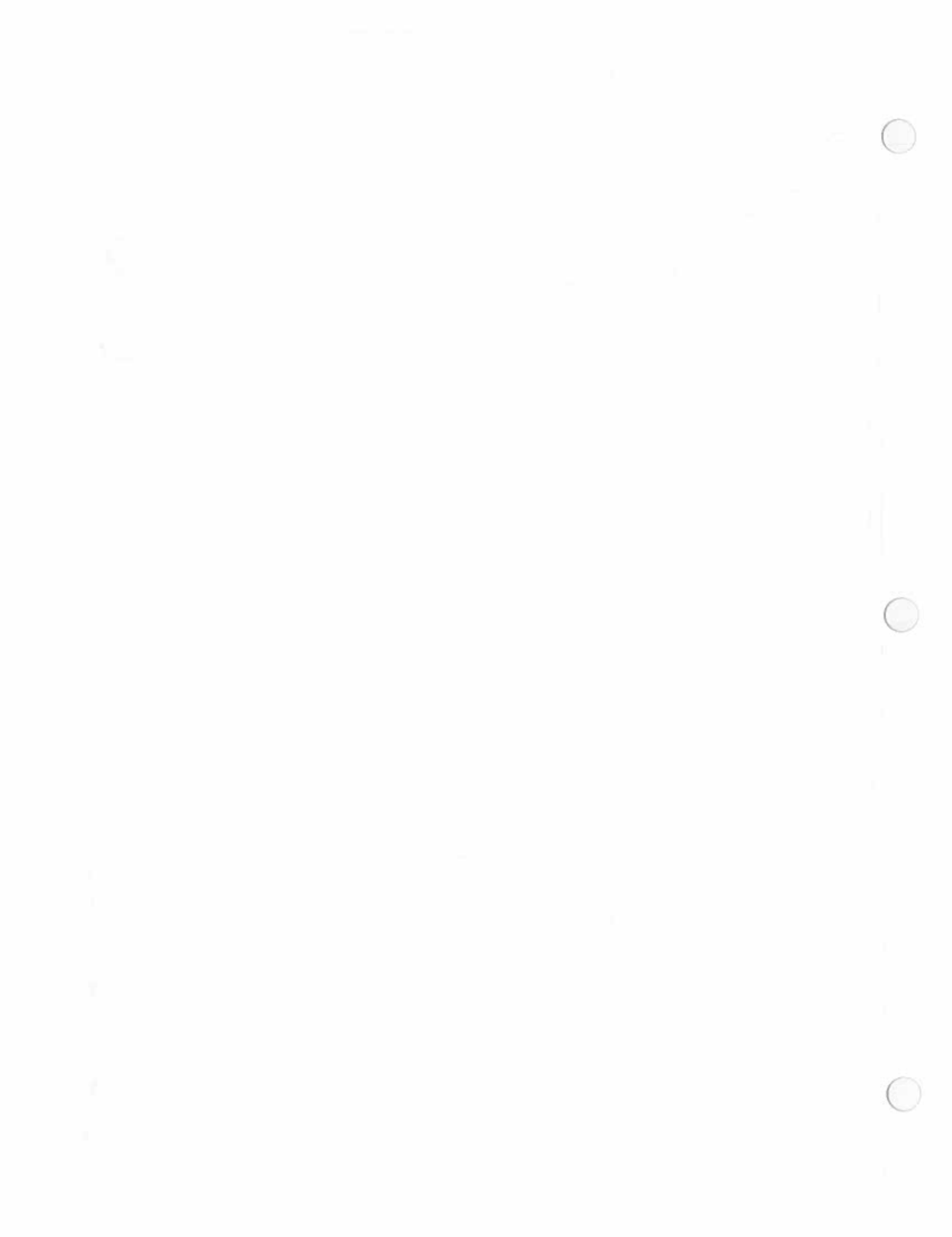
June 13, 2013
eldorado_trails_data_edit.mxd

This information is for reference only.
Santa Fe County assumes no liability for
errors associated with the use of these data.
Users are solely responsible for confirming
data accuracy when necessary.



Santa Fe County
Growth Management
Department
Planning Division





Santa Fe County

Fiscal Impact Report

Department / Division: Public Works

Action Item to be Considered: Maintenance agreement with ECIA

Agreement Number: 2013-0347-PW/IC

Indicate with a <input checked="" type="checkbox"/> below	Section 1 - Identify the type of document below for BCC Consideration and Approval
<input type="checkbox"/>	Revenue, e.g. Grant, charges and fees, etc.
<input type="checkbox"/>	Contractual Services (includes change orders), e.g. Professional services agreement, construction, price agreement, joint powers agreement, lease agreement, etc.
<input type="checkbox"/>	Loan/Grant Agreement
<input checked="" type="checkbox"/>	Other: Maintenance agreement

Indicate with a <input checked="" type="checkbox"/> below	Section 2 - Funding Source Identify the item below for BCC Consideration and Approval
<input checked="" type="checkbox"/>	General Fund, e.g. property taxes, gross receipt taxes, etc.
<input type="checkbox"/>	Special Revenue Funds, e.g. Fire, Indigent, etc.
<input type="checkbox"/>	Capital Outlay GRT, (capital infrastructure only, does not include maintenance or repair costs)
<input type="checkbox"/>	Bond Proceeds (general obligation and gross receipt tax revenue bonds)
<input type="checkbox"/>	Grant Funds. If yes, indicate the percentage and amount required % and/or \$, and source. % \$ Source
<input type="checkbox"/>	Other:

Section 3 - Ongoing operations and maintenance (O&M) requirements:		
Short Term (Specify needs for the current fiscal year only)		
None		
New FTE's #	Position	Hourly Rate \$
Current Fiscal Year Cost \$		Annual Cost \$
Initial Costs (Vehicle, computer, office space, etc.)		
O & M (Concisely identify the recurring needs, supplies, equipment, and the resources		

necessary for carrying out the job duties)

Current Fiscal Year Cost \$

Annual Cost \$

Long Term (Specify the needs for the next four (4) years. This will include staff, O & M, asset renewal and replacement costs, and additional capital needs)

None

Salary & Benefits:

All other expenses:

Section 4 - Revenue

Short Term (Specify the revenue potential for the current fiscal year only. If a grant, specify the total grant award amount and the term. If a fee or charge for service, explain basis of revenue projection).

This agreement won't generate revenue, but it will avoid future County O&M costs by having another entity perform maintenance on County facilities. ECIA currently spends up to \$10,000 a year on trail maintenance.

Current FY Estimate \$

Long Term (Specify the revenue potential for the next four (4) fiscal years. If a grant, specify the total grant award amount and the term. If a fee or charge for service, explain basis of revenue projection).

Annual Estimate \$

Total (next 4 years) \$

Additional Narrative

(Should include additional information such as significant issues, administrative issues and technical issues. What consequences, if any, may occur if this item is not acted upon):

This agreement will save the County money. Under the agreement, ECIA will undertake maintenance of the multi-use trail system in Eldorado, even though the trails belong to the County. Under this agreement, the County agrees to construct any new trails in Eldorado regardless of funding source, which may incur a staff burden in managing projects that are funded using outside funds.

Prepared by Adam Leigland

Reviewed by

AGREEMENT

THIS AGREEMENT (the "Agreement") is entered into as of the 29 day of July, 2003, by and between the COUNTY OF SANTA FE ("County"), and the ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION, INC., a New Mexico nonprofit corporation ("ECIA"). The parties recite and agree as follows:

RECITALS

- A. The ECIA is the homeowners' association for the Eldorado at Santa Fe Subdivision located in Santa Fe County, New Mexico.
- B. The ECIA desires to construct and maintain a paved multi-use path within the right-of-way of the County road known as Avenida Eldorado and Avenida Casa del Oro in the Subdivision, at its sole cost and expense.
- C. The County desires to consent to the ECIA's construction and maintenance of a paved multi-use path within the right-of-way of the County road known as Avenida Eldorado and Avenida Casa del Oro in the Subdivision, on the terms and conditions set forth in this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties hereto agree as follows:

- 1. The County hereby grants the ECIA a license to construct a paved multi-use path within the right-of-way for the County road known as Avenida Eldorado and Avenida Casa del Oro (the "Improvements") in accordance with the construction plans attached hereto as Exhibit A and incorporated herein by this reference (the "Plans"). Multiple uses include pedestrian, equestrian and bicycle use.

2. All construction of the Improvements shall be done in substantial compliance with the Plans and at the sole cost and expense of the ECIA. Upon completion of the construction, title to the Improvements shall vest in the County.

3. The ECIA shall, at its sole cost and expense, maintain the paved multi-use path in good condition and repair.

4. The ECIA shall defend, indemnify and hold harmless the County, its Elected Officials, agents and employees, from and against any and all claims, actions, suits or proceedings of any kind brought against said parties for, or on account of, any matter arising from or out of this Agreement.

5. If, through any cause, the ECIA shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the ECIA shall violate any of the covenants, agreements, or stipulations of this Agreement, the County shall thereupon have the right to terminate this Agreement by giving written notice to the ECIA of such termination and specify the effective date thereof at least five (5) days before the effective date of such termination. Notwithstanding the above, the ECIA shall not be relieved of liability to County for damages sustained by the County by virtue of any breach of this Agreement by the ECIA. This Agreement may be terminated by either party upon the giving of thirty (30) days' written notice to the other party.

6. This Agreement comprises the entire understanding and agreement of the parties hereto on the subject matter herein contained and supersedes all prior agreements or representations with respect to the subject matter hereof not expressly set forth herein, is governed by the laws of the State of New Mexico and shall be binding upon and inure to the benefit of the parties, their successors, and assigns.

7. Each and every recital set forth on page 1 above is hereby incorporated into this Agreement as though set forth in full herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the year and date first written above.

ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION, INC.

By: John L. Reeder

Date: 8-21-03

**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY**

Jack Sullivan
Jack Sullivan, Chairman

9/30/03
Date

ATTEST:

Rebecca Bustamante
Rebecca Bustamante, County Clerk

9/30/03
Date

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

[Signature]
County Attorney

9-22-03
Date

FINANCE DEPARTMENT APPROVAL:

[Signature]
Finance Director

9-22-03
Date

AGREEMENT

THIS AGREEMENT (the "Agreement") is entered into as of the 27 day of May, 2003, by and between the COUNTY OF SANTA FE ("County"), and the ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION, INC., a New Mexico nonprofit corporation ("ECIA"). The parties recite and agree as follows:

RECITALS

- A. The ECIA is the homeowners' association for the Eldorado at Santa Fe Subdivision located in Santa Fe County, New Mexico.
- B. The ECIA desires to construct and maintain a paved multi-use path within the right-of-way of the County road known as Avenida Eldorado and Avenida de Compadres in the Subdivision, at its sole cost and expense.
- C. The County desires to consent to the ECIA's construction and maintenance of a paved multi-use path within the right-of-way of the County road known as Avenida Eldorado and Avenida de Compadres in the Subdivision, on the terms and conditions set forth in this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties hereto agree as follows:

- 1. The County hereby grants the ECIA a license to construct a paved multi-use path within the right-of-way for the County road known as Avenida Eldorado and Avenida de Compadres (the "Improvements") in accordance with the construction plans attached hereto as Exhibit A and incorporated herein by this reference (the "Plans"). Multiple uses include pedestrian, equestrian and bicycle use.

2. All construction of the Improvements shall be done in substantial compliance with the Plans and at the sole cost and expense of the ECIA. Upon completion of the construction, title to the Improvements shall vest in the County.

3. The ECIA shall, at its sole cost and expense, maintain the paved multi-use path in good condition and repair.

4. The ECIA shall indemnify and hold the County harmless from and against any and all claims by or on behalf of any person arising from the construction or maintenance of the Improvements.

5. If, through any cause, the ECIA shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the ECIA shall violate any of the covenants, agreements, or stipulations of this Agreement, the County shall thereupon have the right to terminate this Agreement by giving written notice to the ECIA of such termination and specify the effective date thereof at least five (5) days before the effective date of such termination. Notwithstanding the above, the ECIA shall not be relieved of liability to County for damages sustained by the County by virtue of any breach of this Agreement by the ECIA. This Agreement may be terminated by either party upon the giving of thirty (30) days' written notice to the other party.

6. This Agreement comprises the entire understanding and agreement of the parties hereto on the subject matter herein contained and supersedes all prior agreements or representations with respect to the subject matter hereof not expressly set forth herein, is governed by the laws of the State of New Mexico and shall be binding upon and inure to the benefit of the parties, their successors, and assigns.

7. Each and every recital set forth on page 1 above is hereby incorporated into this Agreement as though set forth in full herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the year and date first written above.

Eldorado Community Improvement Association, Inc.

By: 

Date: 5/28/03

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS


Jack Sullivan, Chairman

5/27/03
Date

ATTEST:


Rebecca Bustamante, County Clerk


5/27/03
Date


APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

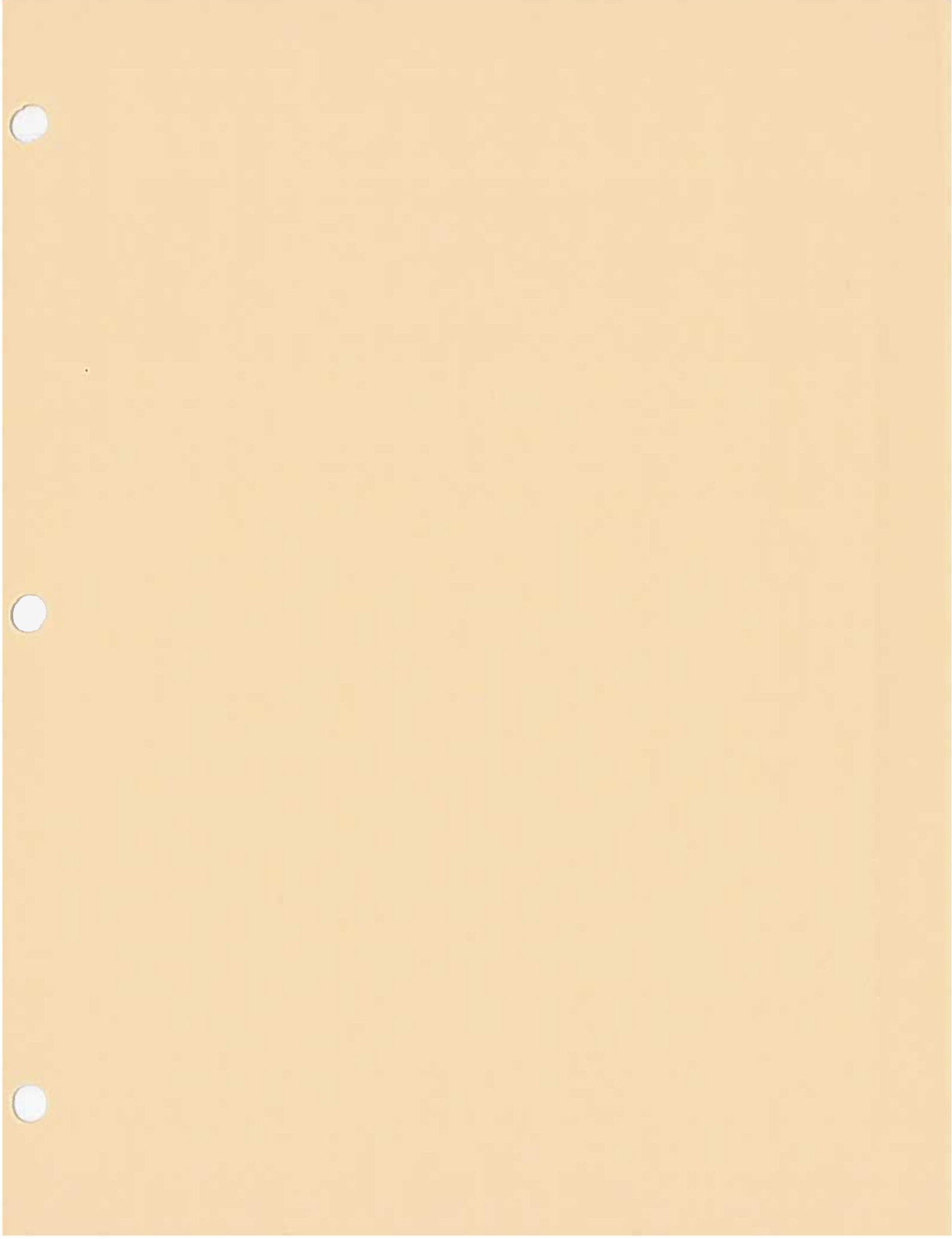

County Attorney

4-28-03
Date

FINANCE DEPARTMENT APPROVAL:


for Katherine Miller, Finance Director

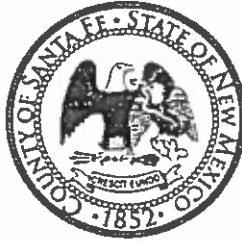
5/19/03
Date



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3




Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

To: Santa Fe County Board of County Commissioners

From: Teresa C. Martinez, Finance Division Director 

Via: Katherine Miller, County Manager

Date: September 24, 2013

Re: Request Authorization Of The Use Of District 5 Capital Funds, Per Capital Outlay Policy, Allocating \$90,000 For Trails and Trail Improvements In The Eldorado Subdivision In Santa Fe County. (Finance/Teresa Martinez)

BACKGROUND

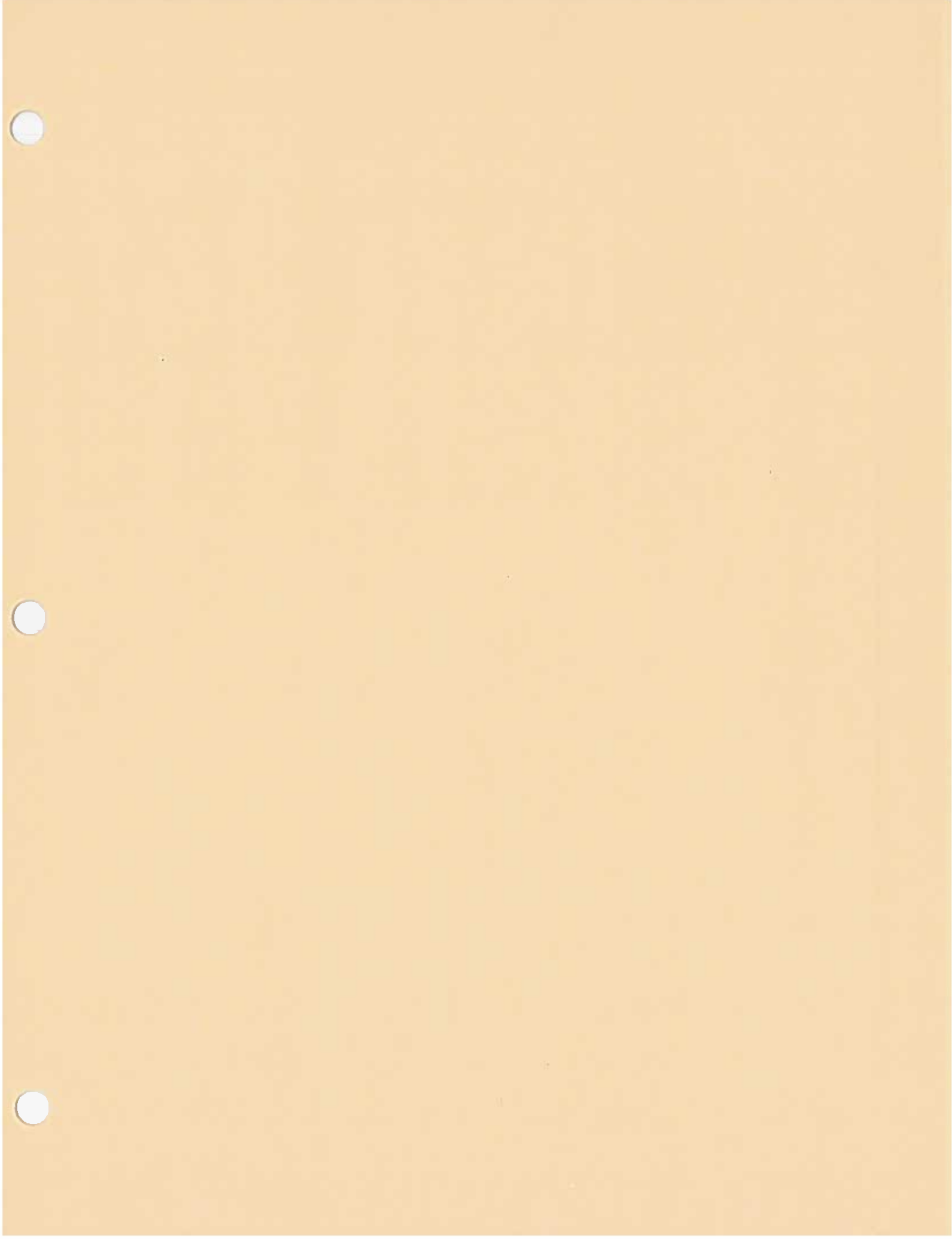
The Board of County Commissioners previously reviewed and approved the Capital Improvement Plan. The Plan allocated \$200,000 to each commission district to be used for capital projects within each respective district.

ISSUE

In FY 2014, the funds were directly budgeted into a unique cost center for each commission district. The budget established includes the annual allocation of \$200,000 and the carryover of any unspent funds from the previous fiscal year. The Finance Division will continue to maintain a separate spreadsheet that details each capital project by commission district.

SUMMARY

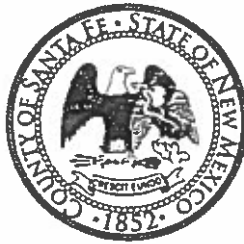
The Public Works Department is requesting funding for the construction of trails and to make trail improvements in the Eldorado Subdivision. Public Works Staff will work in coordination with the Eldorado Community Improvement Association (ECIA) and the ECIA Master Plan to construct multi-use trails within the Eldorado Subdivision. The Finance Department requests BCC authorization for the use of district 5 capital funds in the amount of \$90,000 for trails and trail improvements in the Eldorado Subdivision in Santa Fe County.



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

To: Santa Fe County Board of County Commissioners

From: Teresa C. Martinez, Finance Division Director

Via: Katherine Miller, County Manager

Date: September 24, 2013

Re: Request Authorization Of The Use Of District 5 Capital Funds, Per Capital Outlay Policy, Allocating \$10,000 As Cash Match to Legislative Grant 13-1769 For Road Improvements In The Eldorado Subdivision In Santa Fe County. (Finance/Teresa Martinez)

BACKGROUND

The Board of County Commissioners previously reviewed and approved the Capital Improvement Plan. The Plan allocated \$200,000 to each commission district to be used for capital projects within each respective district.

ISSUE

In FY 2014, the funds were directly budgeted into a unique cost center for each commission district. The budget established includes the annual allocation of \$200,000 and the carryover of any unspent funds from the previous fiscal year. The Finance Division will continue to maintain a separate spreadsheet that details each capital project by commission district.

SUMMARY

Santa Fe County was authorized a grant in the amount of \$151,000 in the 2013 NM Legislative Session to make improvements to roads in the Eldorado Subdivision. The Finance Department is requesting \$10,000 from District 5 Funds to use as the required cash match for Grant 13-1769 for road improvements in the Eldorado Subdivision.





MEMORANDUM

DATE: September 24, 2013

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *LM*

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: A Resolution Supporting Property Tax Equity (Commissioner Stefanics)

BACKGROUND

This Resolution from the Assessors Affiliate supports the Property Tax Equity as a 2014 legislative priority.

It seeks to provide for a more equitable, transparent, and understandable property tax system.

SANTA FE COUNTY RESOLUTION

NO. 2013-

A RESOLUTION SUPPORTING PROPERTY TAX EQUITY

WHEREAS, the value of owner occupied residential property, for property tax purposes, should be valued at no less than 90% of market value;

WHEREAS, the annual limitation on increases in valuation of residential property for 2015, shall not exceed 105% of the value in the tax year prior to the tax year in which the property is being valued or not less than 70% of the market value whichever is greater ;

WHEREAS, the annual limitation on increases in valuation of residential property for subsequent years, following 2016, shall not exceed 105% of the value in the tax year prior to the tax year in which the property is being valued or not less than 90% of the market value whichever is greater;

WHEREAS, while striving for equalization of property values, consideration must be given to the long term residents of New Mexico;

WHEREAS, the creation of a valuation limitation for the long term resident, providing a deduction of 10% of the taxable value, of the residential property owned and occupied by a New Mexico resident for 10 or more years and a 20% deduction of the taxable value, of the residential property owned and occupied by a New Mexico resident, 65 years of age or older, for 20 or more years.

NOW THEREFORE BE IT RESOLVED THAT the Santa Fe County Board of Commissioners support legislation that will provide for the proposed changes to 7-36-21.2 NMSA, allowing for a more equitable property valuation process.

ADOPTED this 24th day of September, 2013

Commissioner Kathy Holian, Chair
District 4

APPROVED AS TO FORM:

ATTEST:

Stephen C. Ross, County Attorney

Geraldine Salazar, County Clerk

RESIDENTIAL VALUATION LIMITATION & EQUITY FOR NM RESIDENTS

House Bill 521, 2013 Regular Session

*Introduced by Representative Ed Sandoval,
passed the House Tax Committee, but died on adjournment.*

- House Bill 521 addressed the "Tax Lightning" problem, which strikes new homeowners when they purchase a home and there is no longer a 3% cap on valuation increases.
- The bill created equitable, transparent, and understandable residential property tax valuations by reducing the current disparity between homeowner valuations.
- It moved all taxpayers to not less than 70% of value in 2014, and not less than 85% of value in the following year.
- It created more equitable values for residential property owners and locked in lower values for the long term and senior New Mexico homeowners.

The bill supported the original intent and spirit of the value cap law instituted by Speaker Ben Lujan, which was to ensure that people who have lived in their homes for 10 or 20 years, and especially senior citizens, do not lose their homes because of increases in property valuation.

HB 521 was endorsed by the Realtors Association of New Mexico and by the New Mexico Association of Counties.





MEMORANDUM

DATE: September 24, 2013

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KM*

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: A Resolution Supporting Non-residential Real Property Sales Disclosure
(Commissioner Stefanics)

BACKGROUND

This Resolution from the Assessors Affiliate supports Non-residential Real Property Sales Disclosure as a 2014 legislative priority.

This resolution seeks to provide for the disclosure of sales data for all real property. (Includes non-residential but not agricultural land or subsurface rights on mineral deeds)

SANTA FE COUNTY RESOLUTION

NO. 2013-

A RESOLUTION SUPPORTING NON-RESIDENTIAL REAL PROPERTY SALES DISCLOSURE

WHEREAS, 7-38-12.1 NMSA 1978 requires transferors or transferees of “residential property” to file an affidavit with the County Assessor disclosing sale price and other related information;

WHEREAS, “residential property” is defined in the property tax code as real property with dwelling placed on it, and does not include non-residential properties;

WHEREAS, the Assessor’s duty is to appraise and assess all taxable properties, residential and non-residential, fairly and equitably according to its’ market value;

WHEREAS, the best approach in determining the market value of a property is utilizing the “sales comparison approach” which requires the use of sales data;

WHEREAS, 7-38-12.1 only requires the disclosure of “residential” sales data to the Assessor;

WHEREAS, without adequate sales data the assessor must rely on other less than reliable approaches to fairly assess non-residential properties;

WHEREAS, agricultural land is not valued at market value and would be excluded;

WHEREAS, SUBSURFACE RIGHTS ARE NOT VALUED BY THE Assessor therefore mineral deeds would be excluded.

NOW THEREFORE BE IT RESOLVED THAT the Santa Fe County Board of Commissioners support legislation that will provide for the disclosure of sales data for all real property except as specifically excluded.

ADOPTED this 24th day of September, 2013

Commissioner Kathy Holian, Chair
District 4

APPROVED AS TO FORM:

ATTEST:

Stephen C. Ross, County Attorney

Geraldine Salazar, County Clerk

DISCLOSURE OF NON-RESIDENTIAL SALES TO ASSESSORS

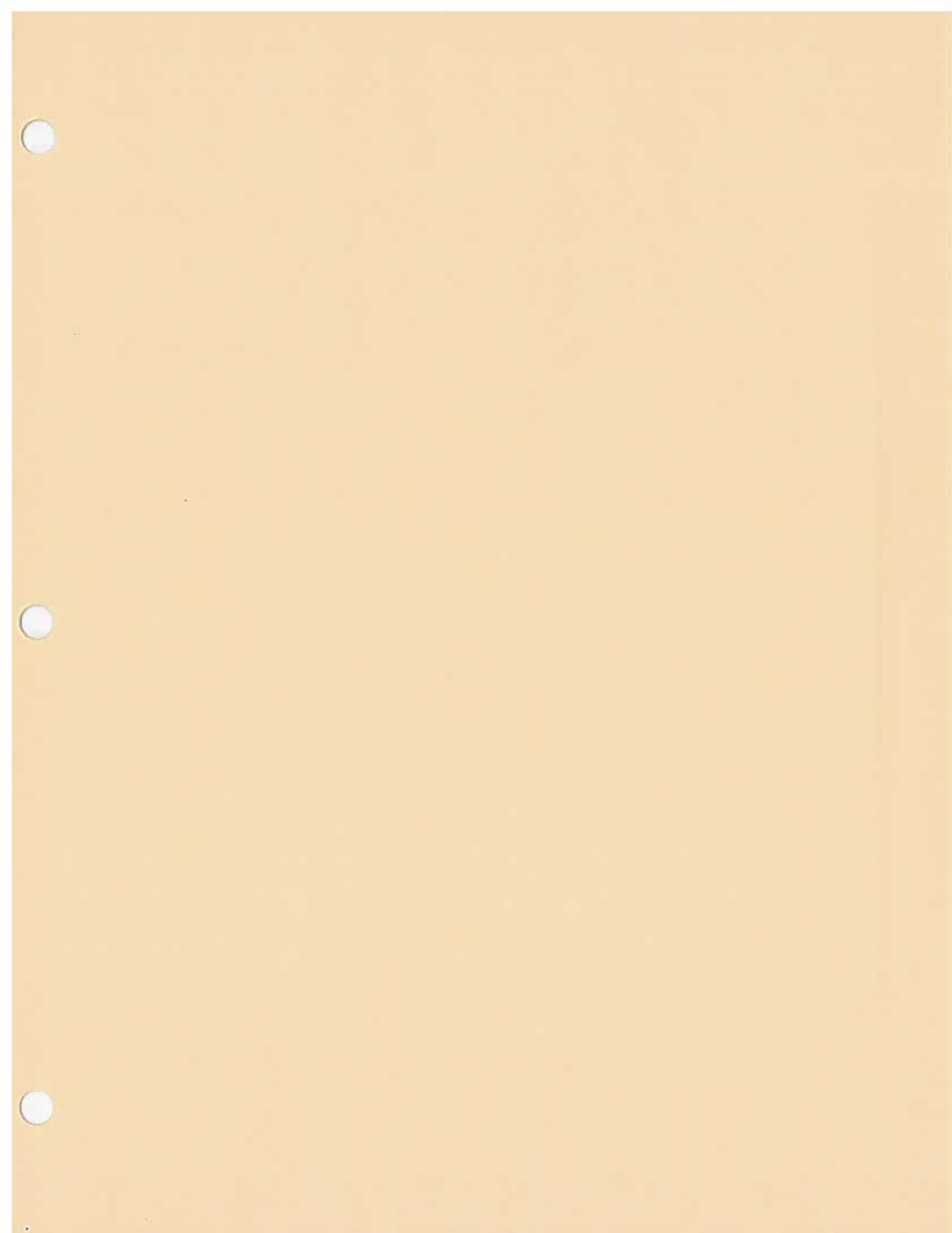
Senate Bill 117

Introduced by Senator George Munoz

For the Revenue Stabilization & Tax Policy Committee

Died on adjournment, in Senate Committee

Senate Bill 117 would have required affidavits on real property sold in a county to be filed with the County Assessor. The Legislative Finance Committee's Fiscal Impact Report (FIR) commented that the proposed measure would increase information available to assessors, and therefore result in more "current and correct" assessment levels among non-residential properties. Under those circumstances, revenues flowing to various property tax recipients (the state, school districts, and other entities) would be likely to increase, according to the FIR.





MEMORANDUM

DATE: September 24, 2013

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KW*

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: A Resolution Supporting Notice of Liens (Commissioner Stefanics)

BACKGROUND

This Resolution from the Clerks Affiliate supports the Notice of Liens as a 2014 legislative priority.

This resolution seeks to require liens to contain language that notice of the lien was sent to the property owner prior to filing the lien.

SANTA FE COUNTY RESOLUTION

NO. 2013-

A RESOLUTION SUPPORTING NOTICE OF LIENS

WHEREAS, liens on property are recorded in the office of the County Clerk;

WHEREAS, there is currently no requirement to inform a property owner that a lien has been recorded;

WHEREAS, a recorded lien clouds the title to the property and inhibits the owner's ability to maximize use of the value of the property;

WHEREAS, oftentimes, property owners are never made aware that a lien has been placed on their property;

WHEREAS, giving notice of liens encourages debts to be resolved;

WHEREAS, the NMAC Board in 2011 and 2012 approved County Clerk resolutions affirming that the owner of a property should be informed when a lien is recorded;

WHEREAS, the County Clerks Affiliate now seeks NMAC Priority status for this issue;

NOW THEREFORE BE IT RESOLVED THAT the Santa Fe County Board of Commissioners supports legislation that would require liens to contain language that notice of the lien was sent to the property owner prior to filing the lien.

ADOPTED this 24th day of September, 2013

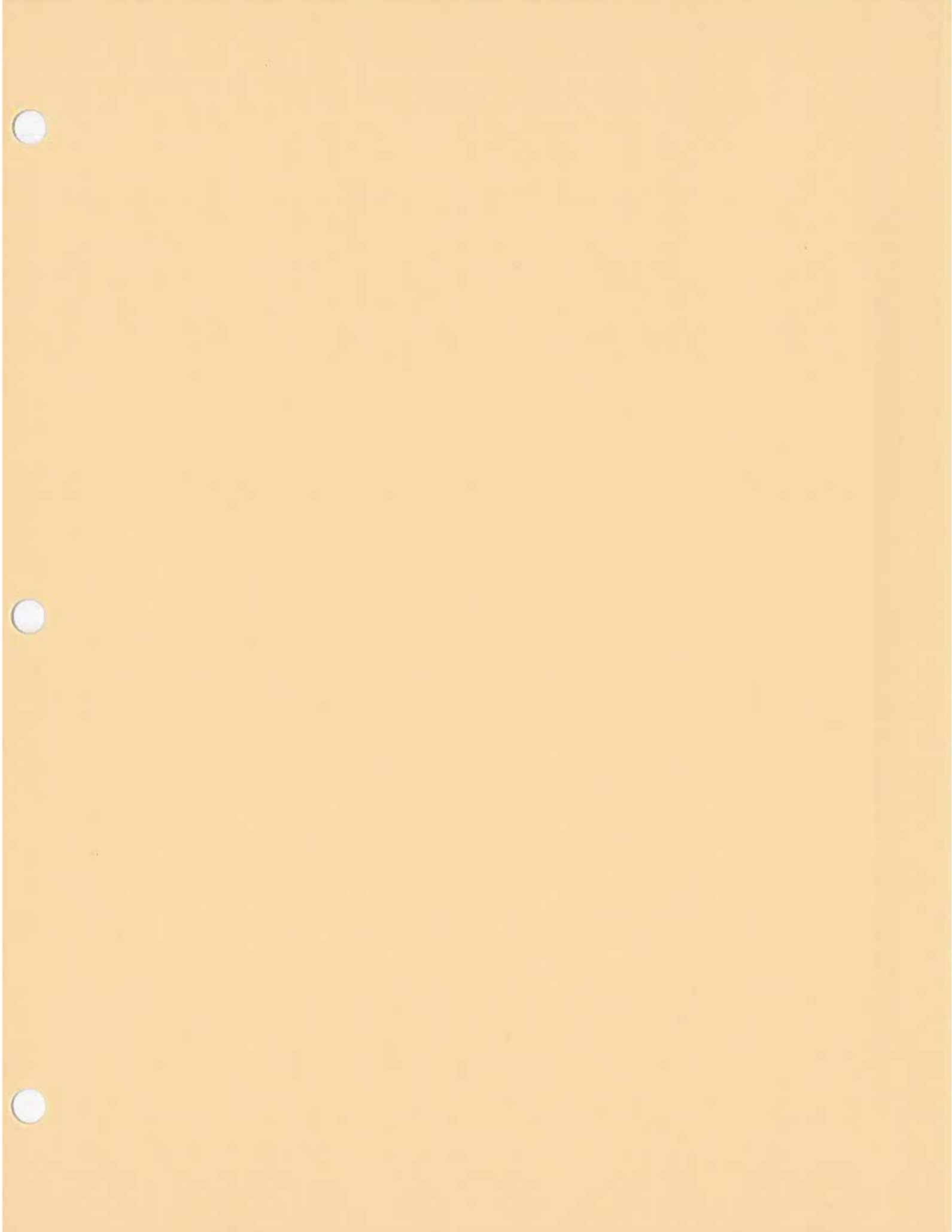
Commissioner Kathy Holian, Chair
District 4

APPROVED AS TO FORM:

ATTEST:

Stephen C. Ross, County Attorney

Geraldine Salazar, County Clerk





MEMORANDUM

DATE: September 24, 2013

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KM*

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: A Resolution Supporting Suspension of Medicaid Benefits in Lieu of Termination
Upon Incarceration in County Detention Centers for Youth and Adults
(Commissioner Stefanics)

BACKGROUND

This Resolution from the Commissioners Affiliate supports the Suspension of Medicaid Benefits in Lieu of Termination upon Incarceration in County Detention Centers for Youth and Adults as a 2014 legislative priority.

This resolution seeks to support interruption of Inmates' Medicaid benefits instead of termination.

SANTA FE COUNTY RESOLUTION

NO. 2013-

A RESOLUTION SUPPORTING SUSPENSION OF MEDICAID BENEFITS IN LIEU OF TERMINATION UP INCARCERATION IN COUNTY DETENTION CENTERS FOR YOUTH AND ADULTS

WHEREAS, it is very expensive through law enforcement, criminal justice and incarceration costs to manage people that commit crimes associated with behavior from untreated substance use and mental disorders;

WHEREAS, lack of access to health care after discharge from incarceration, including treatment for substance use and mental health disorders, is a major risk factor for recidivism and for committing crimes in people with untreated substance use and mental disorders;

WHEREAS, having Medicaid benefits upon discharge from a county detention center will allow for the inmate to be linked upon discharge to treatment resources for substance use and mental health disorders;

WHEREAS, treatment of substance use and mental disorders has been well demonstrated to reduce recidivism, overdose and suicide, and every dollar invested in treatment has been well demonstrated to give a \$7 return in criminal justice savings and a \$5 return in medical savings;

WHEREAS, as of January 1, 2014 likely more than 90% of county inmates will be eligible for Medicaid benefits compared to around 10% currently. These Medicaid benefits will be paid for 100% by the federal government for about 90% of inmates, with little cost to the counties except to help inmates sign up for Medicaid using the state's new automated online system in 2014,

WHEREAS, savings to the counties will be great leveraging federal dollars.

NOW THEREFORE BE IT RESOLVED THAT the Santa Fe County Board of Commissioners supports legislation that would require the suspension of Medicaid in lieu of termination upon incarceration in county detention centers for youth and adults such that : (1) inmates would still have their Medicaid medical benefits upon discharge if they had Medicaid upon admission or (2) be able to apply for Medicaid benefits at any time during their incarceration and if still incarcerated when they receive their benefits have their Medicaid benefits suspended until discharge when they would automatically become active.

ADOPTED this 24th day of September, 2013

Commissioner Kathy Holian, Chair
District 4

APPROVED AS TO FORM:

Stephen C. Ross, County Attorney

ATTEST:

Geraldine Salazar, County Clerk

PRE-RELEASE MEDICAID BENEFITS FOR INCARCERATED PERSONS

**Senate Bill 65, 2013 Regular Session
Introduced by Senator Jerry Ortiz y Pino
Passed both houses, but was vetoed by the Governor**

SUMMARY OF LEGISLATIVE & GUBERNATORIAL ACTION

The original bill required the Human Services Department, along with correctional facilities, to ensure that incarcerated persons who are eligible for Medicaid, are able to access their Medicaid benefits immediately upon release. The Senate Public Affairs Committee substitute added several requirements to the Human Services Department. The bill was finally amended on the Senate floor to expand slightly the affected parties, to include administrators of all facilities confining incarcerated individuals (and therefore to include counties); to strike the exclusion stating that the assessment process cannot take place less than ten days before release; and to require the Human Services Department to suspend but not terminate a Medicaid-eligible individual within the first year of the individual's entry into incarceration.

The Governor's veto message stated that, while she supported the intention of SB 65, it placed an unfunded burden on several state agencies and duplicated existing agreements between several departments. She further stated that the cabinet secretaries of those departments are committed to closing the incarceration benefits loophole, through an administrative process.

Excerpted statement by federal CMS/HSD policy advisor, regarding new Medicaid coverage opportunities available through the Affordable Care Act:

. . . incarceration does not preclude an individual from being determined Medicaid-eligible. (*Emphasis added.*) Inmates are permitted to file an application for Medicaid coverage during the time of their incarceration, and assuming they meet all applicable Medicaid eligibility requirements, may be enrolled in the Medicaid program before, during, and after the period of time spent in the correctional facility. Incarceration does, however, affect the state's ability to claim federal financial participation (FFP). We have previously informed state that this is a payment exclusion only, not an eligibility exclusion, and does not affect the eligibility of the individual inmate for the Medicaid program. States can receive FFP for Medicaid-covered state plan services provided to Medicaid-enrolled inmates, when inmates become inpatients in hospitals, nursing facilities, juvenile psychiatric facilities, or intermediate care facilities. Furthermore, the payment exclusion does not apply when the inmate is paroled, on probation, or on home release, except when the individual reports to the prison for an overnight stay. However, the exclusion does apply where the individual is an inmate awaiting criminal proceedings, penal dispositions, or other involuntary detention determinations.

The Centers for Medicare & Medicaid Services (CMS) has a longstanding policy that permits states to establish a process under which a Medicaid-eligible inmate is placed in a suspended eligibility status while the inmate exclusion is applicable. (*Emphasis added.*) This suspension process prevents the state from erroneously claiming FFP for services furnished to the incarcerated individual, while ensuring that the individual returns to active enrollment when the inmate exclusion no longer applies (absent a redetermination that results in a termination for other reasons). In fact we have informed states that there is no legal basis for terminating the Medicaid eligibility of inmates of public institutions solely on the basis of their status as inmates. The suspension policy provides for continuity of care so that the individual can immediately access covered benefits when the inmate exclusion no longer applies, and enables the state to receive FFP for such benefits. . . .

Taken from e-mail sent on June 18, 2013 by Marielle Kress MPP, Policy Advisor, Children & Adults Health Programs Group, Center for Medicaid and CHIP Services, Centers for Medicare & Medicaid Services, U.S. Department of Health & Human Services.





MEMORANDUM

DATE: September 24, 2013

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KM*

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: A Resolution Supporting County Correctional Facility Gross Receipts Tax
(Commissioner Stefanics)

BACKGROUND

This Resolution from the Detention Administrators and Commissioners Affiliates supports the County Correctional Facility Gross Receipts Tax as a 2014 legislative priority

This resolution seeks to increase existing county local option Gross Receipts Tax for county correctional facilities.

SANTA FE COUNTY RESOLUTION

NO. 2013-

A RESOLUTION SUPPORTING COUNTY CORRECTIONAL FACILITY GROSS RECEIPTS TAX

WHEREAS, TWENTY FIVE COUNTIES IN New Mexico have voted to enact the two one-sixteenth increments of County Correctional Facility Gross Receipts Tax authorized by state law;

WHEREAS, county detention facilities use the proceeds of this local option tax to operate and maintain local detention facilities, and for many other purposes authorized by state law;

WHEREAS, county detention facilities have seen a significant increase in detention facility populations since the county Correctional Facilities GRT was expanded in 2004;

WHEREAS, the resulting cost to county government is, in many counties, the most significant part of the county budget;

NOW THEREFORE BE IT RESOLVED THAT the Santa Fe County Board of Commissioners supports legislation that would increase the County Correction Facility Gross Receipts Tax from two to four increments of one-sixteenth of one percent, resulting in a maximum tax of one fourth of one percent.

ADOPTED this 24th day of September, 2013

Commissioner Kathy Holian, Chair
District 4

APPROVED AS TO FORM:

Stephen C. Ross, County Attorney

ATTEST:

Geraldine Salazar, County Clerk

See third page for description of County Correctional Facility Gross Receipts Tax

COUNTY GROSS RECEIPTS TAX (GRT) LOCAL OPTION INCREMENTS

The county gross receipts taxes are collected at the same time and in the same manner as the state gross receipts. The local option tax rate changes are combined with the state gross receipts tax rate and incorporated into the gross receipts tax rate schedule that is revised and provided to the taxpayers every six months. The Enactment Date Table is posted on the Taxation & Revenue Department website: <http://www.tax.newmexico.gov/Tax-Library/For-Governments/Municipal-and-County-Governments/Pages/Enactment-Date-Tables.aspx>

Excerpted from County Gross Receipts Tax Local Options, published by the NM Taxation & Revenue Department, Revised June 2013.

DESCRIPTION & IMPOSITION, BY COUNTY, AS OF JULY 1, 2013

NAME OF TAX, PURPOSE, & INCREMENTS AUTHORIZED Unless otherwise noted, all increments are imposed countywide.	STATUTES & COUNTIES IMPOSING TAX
COUNTY GROSS RECEIPTS TAX	7-20E-9 through 7-20E-11
First 1/8 % (general purpose and/or county road fund)	All counties
Second 1/8 % (county indigent patients)	All counties but Harding & Socorro
Third 1/8 % (general purpose)	24 counties
Fourth 1/16 % (general purpose)	22 counties
COUNTY INFRASTRUCTURE GROSS RECEIPTS TAX	7-20E-19
General purposes, waste/wastewater facilities, jails, economic development, etc.	
First 1/16 %	10 counties
Second 1/16 %	10 counties

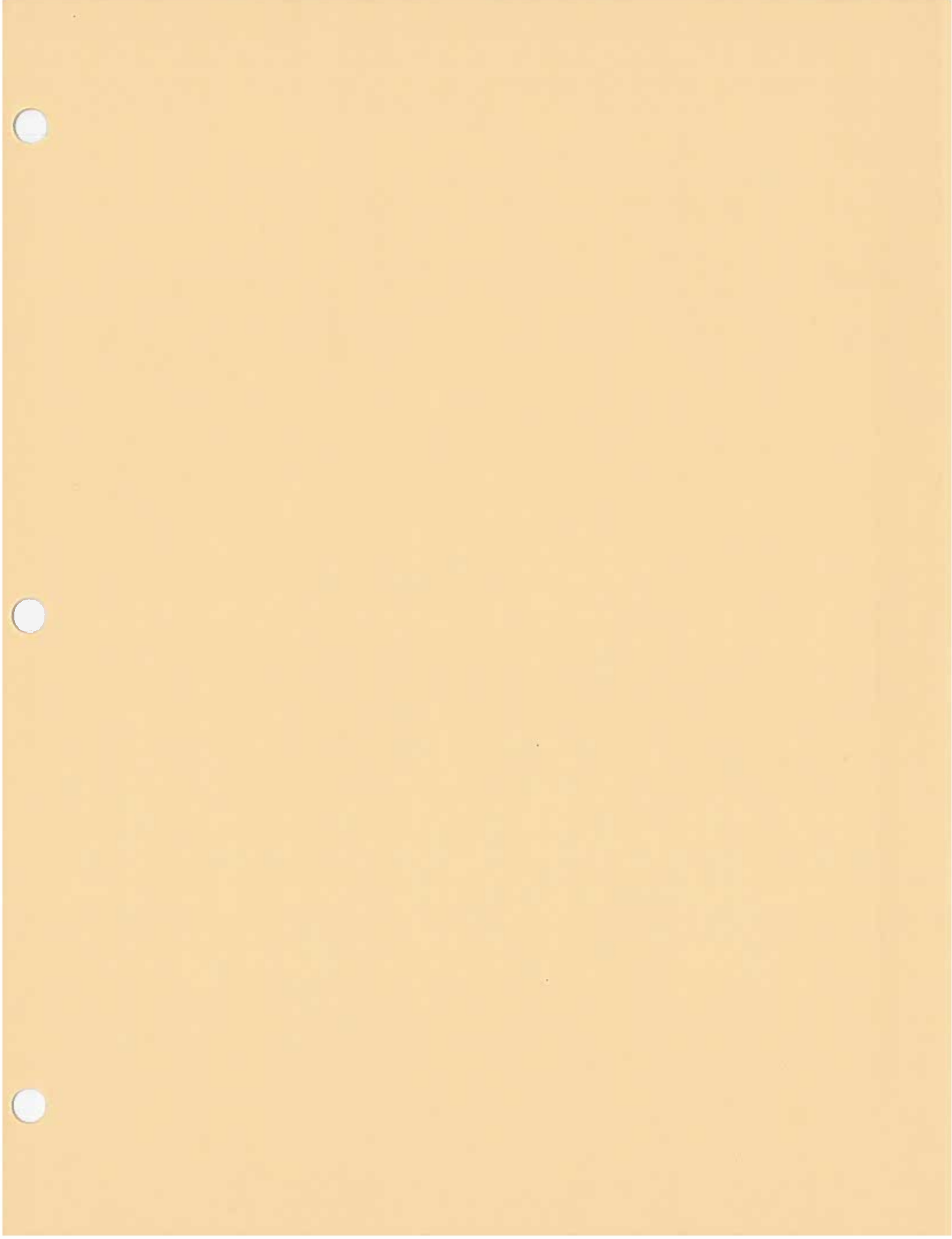
COUNTY CAPITAL OUTLAY GROSS RECEIPTS TAX Building & infrastructure projects, payment of revenue bonds for infrastructure	7-20E-21
First 1/16 %	6 counties
Second 1/16 %	6 counties
Third 1/16 %	6 counties
Fourth 1/16 %	6 counties
COUNTYWIDE/COUNTY AREA EMERGENCY COMMUNICATIONS & EMERGENCY MEDICAL & BEHAVIORAL HEALTH SERVICES GROSS RECEIPTS TAX Eligibility contingent on having emergency communications center and/or behavioral health services facility. May be imposed countywide or outside incorporated areas only.	7-20E-22
First 1/16 %	12 counties (Dona Ana votes on 07/30)
Second 1/16 %	12 counties
Third 1/16 %	10 counties
Fourth 1/16 %	9 counties
COUNTY EDUCATION GROSS RECEIPTS TAX For payment of county education GRT bonds for public school capital projects & off-campus program capital projects. Only Taos county is authorized. One ½ % increment	7-20E-20 Taos
COUNTY HEALTH CARE GROSS RECEIPTS TAX Must be dedicated to the state's county-supported Medicaid Fund First 1/16 % Second 1/16 % is available only to counties w/ populations over 500,000.	7-20E-18 16 counties Bernalillo
LOCAL HOSPITAL GROSS RECEIPTS TAX Four 1/8 % increments to pay principal & interest on revenue bonds for acquisition of land or buildings for hospital or healthcare facilities. Authorized for 14 counties; only 5 have imposed it. First 1/8 % Second 1/8 % Third 1/8 % Fourth 1/8 %	7-20C-1 through 7-20C-17 Cibola, Quay, Roosevelt, San Juan, Union Cibola, Quay, Roosevelt, Union Cibola, Quay, Roosevelt Cibola, Quay, Roosevelt

COUNTY HOSPITAL EMERGENCY GROSS RECEIPTS TAX To design & construct a county hospital facility, acquire land or buildings, or repay bonds or loans for acquiring, equipping, remodeling, or improving county hospital or health facility. One 1/4% increment	7-20E-12.1 Hidalgo & Sierra
SPECIAL COUNTY HOSPITAL GROSS RECEIPTS TAX For operations & maintenance of hospital for care of sick & indigent persons (Quay) & county ambulance transport or rural health clinic costs (Luna). One 1/8 % increment	7-20E-13 & 7-20E-14 Quay and Luna
COUNTY CORRECTIONAL FACILITY GROSS RECEIPTS TAX Originally for purchasing & constructing jails; expanded to include operating detention facilities & transportation of prisoners. No election required but voters may petition for an election to approve or disapprove. First 1/16 % Second 1/16%	7-20-F-1 through 7-20F-12 26 counties 26 counties
COUNTY ENVIRONMENTAL SERVICES GROSS RECEIPTS TAX For acquiring, constructing, operating & maintaining solid waste, water, wastewater, sewer, & other systems. Imposed <u>only</u> on businesses outside incorporated municipalities. One 1/8 %	7-20E-17 29 counties
COUNTY FIRE PROTECTION SERVICES EXCISE TAX For operational expenses (no salaries), ambulance services, capital outlay costs of independent fire districts or county ambulance services. Imposed only on businesses outside incorporated municipalities. Increment can be either 1/8 or 1/4 %. All imposing counties have enacted 1/4 %.	7-20E-15 & 7-20E-16 21 counties
COUNTY REGIONAL TRANSIT GROSS RECEIPTS TAX For purposes authorized in the Regional Transit District Act. County must be member of a regional transit district; all counties in district must elect to enact the tax. Four 1/16 % increments All counties appear to have enacted the first 2 increments only.	7-20E-23 Bernalillo, Los Alamos, Rio Arriba, Sandoval, Santa Fe, & Taos counties

COUNTY QUALITY OF LIFE GROSS RECEIPTS TAX To promote & expand cultural programs Four 1/16 th % increments	7-20E-24 No counties (Village of Cuba has enacted)
COUNTY REGIONAL SPACEPORT GROSS RECEIPTS TAX County must be a member of a regional spaceport. At least 75 % is for a regional spaceport district financing, planning, designing, engineering, constructing, and/or projects of the district. First & second 1/16 % increments	7-20E-25 Dona Ana & Sierra counties
COUNTY WATER & SANITATION GROSS RECEIPTS TAX If board of directors of water & sanitation district approves a resolution, county must impose the tax on persons engaged in business in the district. One 1/4 % increment	7-20-E-26 No counties
COUNTY BUSINESS RETENTION GROSS RECEIPTS TAX To retain local businesses in the county, by reducing the impact to the State General Fund of gaming tax lost to the state because of reduced economic activity in the county. May be imposed only by a county containing gaming operator licensees that are racetracks (racinos). Four 1/16 % increments	7-20E-27 Lincoln county (enacted 2011; expires 2015)
COUNTY HOLD HARMLESS GROSS RECEIPTS TAX County may designate specific purpose, including but not limited to police or fire protection, public transportation or street repair and maintenance. Three 1/8 % increments; no voter referendum or petition	Enacted in 2013; no counties have yet imposed.

Data sources: New Mexico Department of Taxation & Revenue
County Gross Receipts Tax Local Options, revised June 2013
Enactment Dates of Local Option Taxes, as of July 1, 2013

Prepared by Tasia Young, Lobbyist
New Mexico Association of Counties
tyoung@nmcountries.org; 505-469-6409
updated 07/30/13





MEMORANDUM

DATE: September 24, 2013

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KM*

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: A Resolution Supporting Delinquent Property Tax Payment (Commissioner Stefanics)

BACKGROUND

This Resolution from the Treasurers Affiliate supports the Delinquent Property Tax Payment as a 2014 legislative priority.

This resolution seeks to amend state law to authorize County Treasurers to receive all payments of property taxes, including for those properties that have been turned over to the Property Tax Division for collection and have been placed on installment agreements.

SANTA FE COUNTY RESOLUTION

NO. 2013-

A RESOLUTION SUPPORTING DELINQUENT PROPERTY TAX PAYMENTS

WHEREAS, NMSA 7-38-62 instills the responsibility and exclusive authority on the Tax and Revenue Department to collect delinquent taxes showing on the tax delinquency list;

WHEREAS, Property Tax Division enters into installment agreements with delinquent tax payers as a means to collect those taxes;

WHEREAS, New Mexico County Treasurers acknowledge the tracking of payment, the filing of injunctions and liens related to missed payments, and the enforcement of installment agreements, is a function that should remain under the authority, control and within the jurisdiction of the Property Tax Division and the Legal Services Bureau of the Tax and Revenue Department;

WHEREAS, payments by delinquent taxpayers to the Property Tax Division creates an unnecessary, confusing and inefficient third tier of government to which taxpayers are required to make payments;

WHEREAS, the public's right to have updated and accurate information at the local level is compromised by the payment by delinquent tax payers to the state level where it is retained and not distributed for up to three years;

WHEREAS, county treasurers are equipped with resources, policies, and procedures already in place by which they are able to distribute payments received on behalf of Property Tax Division to them on a monthly basis, enabling the department to perform the necessary enforcement, negotiation, and tracking of all installment agreements;

NOW THEREFORE BE IT RESOLVED THAT the Santa Fe County Board of Commissioners supports legislation that would amend State Statute 7-38-62 to authorize County Treasurers to receive all payments of property taxes, including for those properties that have been turned over to the Property Tax Division for collection and been placed on installment agreements.

ADOPTED this 24th day of September, 2013

Commissioner Kathy Holian, Chair
District 4

APPROVED AS TO FORM:

ATTEST:

Stephen C. Ross, County Attorney

Geraldine Salazar, County Clerk

7-38-62. Authority of department to collect delinquent property taxes after receipt of tax delinquency list; use of penalties, interest and costs.

After the receipt of the tax delinquency list, the department has the responsibility and exclusive authority to take all action necessary to collect delinquent taxes shown on the list. This authority includes bringing collection actions in the district courts based upon the personal liability of the property owner for taxes as well as the actions authorized in the Property Tax Code [Articles 35 to 38 of Chapter 7 NMSA 1978] for proceeding against the property subject to the tax for collection of delinquent taxes. Payment of delinquent taxes listed and any penalty, interest or costs due in connection with those taxes shall be made to the department if occurring after the receipt by the department of the tax delinquency list; however, the department may authorize county treasurers to act as its agents in accepting payments of taxes, penalties, interest or costs due. Penalties, interest and costs due received by the department under this section shall be retained by the department for use, subject to appropriation by the legislature, in the administration of the Property Tax Code.

History: 1953 Comp., § 72-31-62, enacted by Laws 1973, ch. 258, § 102; 1990, ch. 22, § 5.





MEMORANDUM

DATE: September 24, 2013

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KM*

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: A Resolution Supporting Delinquent Property Tax List (Commissioner Stefanics)

BACKGROUND

This Resolution from the Treasurers Affiliate supports the Property Tax List as a 2014 legislative priority.

It seeks to clarify the responsibility of County Treasurers and the Property Tax Division; so that if a delinquent property does not appear on the most recent delinquent property tax list, that property reverts back to the County Treasurer for collection, and the penalty and interest collected are distributed to the county.

SANTA FE COUNTY RESOLUTION

NO. 2013-

A RESOLUTION SUPPORTING DELINQUENT PROPERTY TAX LIST DEFINITION

WHEREAS, state statute 7-38-61 NMSA 1978 requires County Treasurers to prepare by July 1 of each year, a property tax delinquency list of all real property for which taxes have been delinquent for more than two years and to transfer those properties to the Property Tax Division (PTD) of the New Mexico Taxation and Revenue Department (TRD) for collection;

WHEREAS, state statute 7-38-62 NMSA 1978 authorizes TRD to collect the delinquent property taxes on the list and to retain penalty, interest, and costs due;

WHEREAS, clarification on the interpretation of these statutes is needed, to assist County Treasurers, state agencies, software companies, delinquent taxpayers, and the general public;

WHEREAS, County Treasurers define the tax delinquency list used in 7-38-61 and 7-38-62 NMSA 1978, as the current annual list;

WHEREAS, PTD believes that there is no provision that allows TRD to permanently stop the collection process against a property, until all delinquent taxes, penalties, interest and costs have been paid, or the property has been sold;

WHEREAS, many properties are not sold if taxpayers are making partial payments toward taxes owed;

NOW THEREFORE BE IT RESOLVED THAT the Santa Fe County Board of Commissioners supports legislation that would clarify the responsibility of County Treasurers and the Property Tax Division, so that if a delinquent property does not appear on the most recent delinquent property tax list, that property reverts back to the County Treasurer for collection, and the penalty and interest collected is distributed to the county.

ADOPTED this 24th day of September, 2013,

Commissioner Kathy Holian, Chair
District 4

APPROVED AS TO FORM:



Stephen C. Ross, County Attorney

ATTEST:

Geraldine Salazar, County Clerk

7-38-61. Real property taxes delinquent for more than two years; treasurer to prepare delinquency list; notation on property tax schedule.

A. By July 1 of each year, the county treasurer shall prepare a property tax delinquency list of all real property for which taxes have been delinquent for more than two years. The tax delinquency list shall contain the information and be in a form prescribed and submitted by the date required by department regulations. The county treasurer shall record the tax delinquency list in the office of the county clerk. There shall be no recording fee for recordation of the tax delinquency list. The updated final property tax sale list shall be recorded with the office of the county clerk the day following the sale of the property. There shall be no recording fee for recordation of the final property tax sale list.

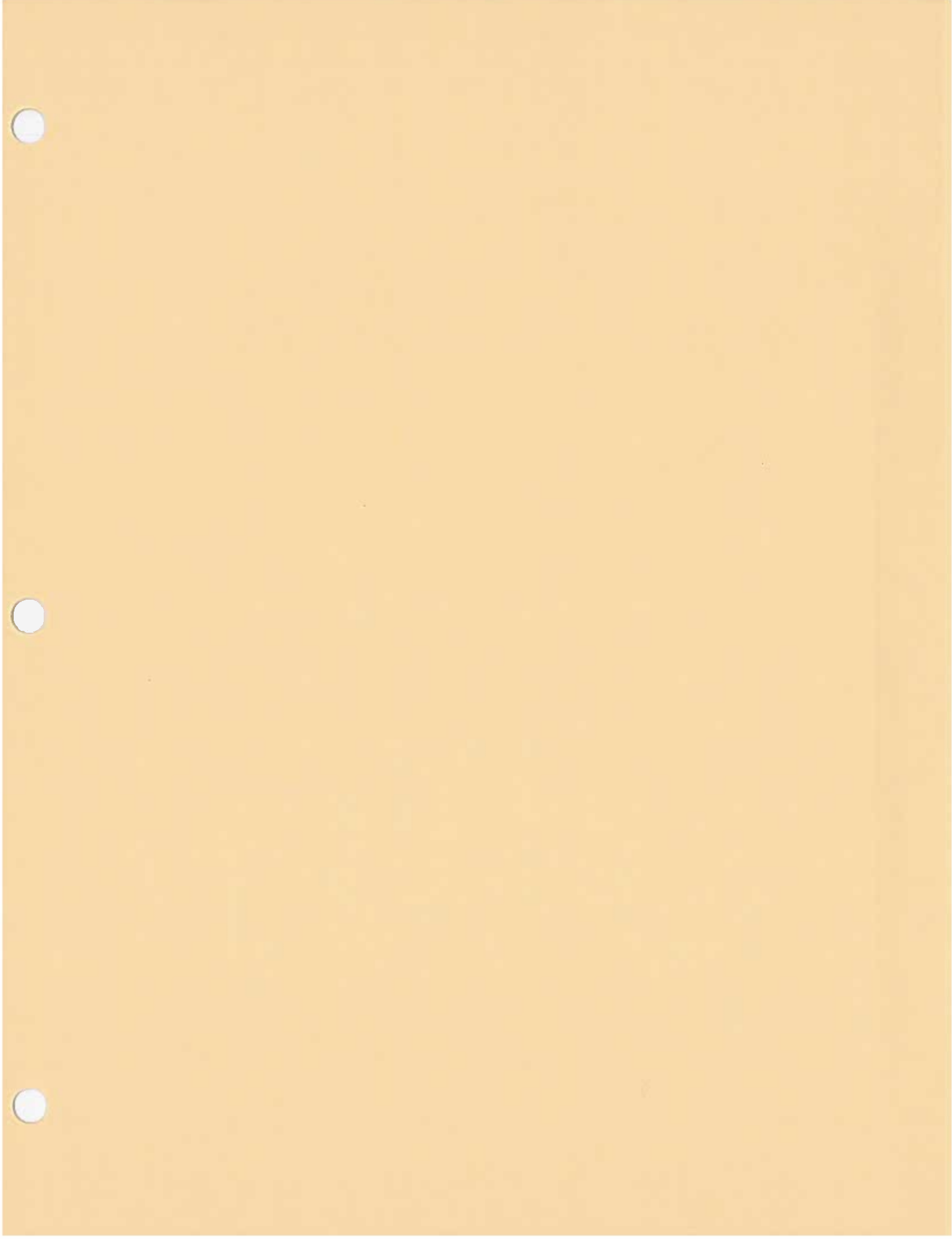
B. The county treasurer shall make a notation on the property tax schedule indicating that the account has been transferred to the department for collection at the time the tax delinquency list is mailed to the department.

History: 1953 Comp., § 72-31-60, enacted by Laws 1973, ch. 258, § 100; 1977, ch. 177, § 1; 1980 ch. 100, § 1; 1978 Comp., § 7-38-60, recompiled as 1978 Comp., § 7-38-61 by Laws 1982, ch. 28, § 22; 1997, ch. 124, § 2.

7-38-62. Authority of department to collect delinquent property taxes after receipt of tax delinquency list; use of penalties, interest and costs.

After the receipt of the tax delinquency list, the department has the responsibility and exclusive authority to take all action necessary to collect delinquent taxes shown on the list. This authority includes bringing collection actions in the district courts based upon the personal liability of the property owner for taxes as well as the actions authorized in the Property Tax Code [Articles 35 to 38 of Chapter 7 NMSA 1978] for proceeding against the property subject to the tax for collection of delinquent taxes. Payment of delinquent taxes listed and any penalty, interest or costs due in connection with those taxes shall be made to the department if occurring after the receipt by the department of the tax delinquency list; however, the department may authorize county treasurers to act as its agents in accepting payments of taxes, penalties, interest or costs due. Penalties, interest and costs due received by the department under this section shall be retained by the department for use, subject to appropriation by the legislature, in the administration of the Property Tax Code.

History: 1953 Comp., § 72-31-62, enacted by Laws 1973, ch. 258, § 102; 1990, ch. 22, § 5.





MEMORANDUM

DATE: September 24, 2013

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KM*

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: A Resolution Supporting the 2014 Legislative Priorities of the New Mexico Association of Counties (Commissioner Stefanics)

BACKGROUND

The New Mexico Association of Counties (NMAC) mission is to work as a united body by equally representing the interests of all counties through designated elected county officials to promote effective and efficient county government.

The NMAC lobbying team works year round to advance the legislative priorities of the counties through the voices of their Affiliate organizations. Legislative team support includes: (1) providing early assistance to the Affiliate groups with identifying matters requiring a legislative or constitutional fix; (2) discussing the issues with the full Board of directors for determination of which will ultimately be adopted as NMAC priorities; (3) taking the many steps required to turn the resolution into a bill.

This Resolution supports the following seven issues as legislative priorities:

- Delinquent Property Tax Payments
- Delinquent Property Tax List
- Notice of Liens
- Medicaid Benefits Suspension
- County Correctional Facility Gross Receipts Tax
- Property Tax Equity
- Real Property Sales Disclosure

SANTA FE COUNTY RESOLUTION

NO. 2013-

A RESOLUTION SUPPORTING THE 2014 LEGISLATIVE PRIORITIES OF THE NEW MEXICO ASSOCIATION OF COUNTIES

WHEREAS, in August, 2013, the Board of Directors of the New Mexico Association of Counties approved seven legislative priorities for consideration by the New Mexico Legislature at its 2014 Regular legislative session; *and*

WHEREAS, the Association has requested that the Board of County Commissioners in each of the state's 33 counties adopt a resolution supporting the Association's legislative priorities; *and*

WHEREAS, this is an important step in assuring maximum understanding of, and support for, the Association's legislative priorities at the county level; *and*

WHEREAS, the adoption of such resolutions will enable the Association to demonstrate to the state legislature local and statewide support for the Association's legislative priorities; *and*

WHEREAS, the legislative priorities adopted by the Association's Board of Directors include support for legislation on the following seven issues:

- **Delinquent Property Tax Payments** - Amend state law to authorize County Treasurers to receive all payments of property taxes, including for those properties that have been turned over to the Property Tax Division for collection and have been placed on installment agreements (Treasurers).
- **Delinquent Property Tax List** - Clarify the responsibility of County Treasurers and the Property Tax Division, so that if a delinquent property does not appear on the most recent delinquent property tax list, that property reverts back to the County Treasurer for collection, and the penalty and interest collected are distributed to the county.(Treasurers)
- **Notice of Liens** - Require liens to contain language that notice of the lien was sent to the property owner prior to filing the lien (Clerks)
- **Medicaid Benefits Suspension** - Support suspension of Medicaid benefits in lieu of termination, during incarceration in county detention facilities (Commissioners)
- **County Correctional Facility Gross Receipts Tax** - Increase existing county local option gross receipts tax for county correctional facilities (Detention Administrators and Commissioners)
- **Property Tax Equity** -Provide for a more equitable, transparent, and understandable property tax system (Assessors)
- **Real Property Sales Disclosure** -Provide for the disclosure of sales data for all real property, (includes non-residential but not agricultural land or subsurface rights on mineral deeds) (Assessors)

NOW, THEREFORE, BE IT RESOLVED that the Santa Fe County Board of Commissioners does hereby support the legislative priorities of the New Mexico Association of Counties as set forth above, and urges that legislation incorporating these priorities be enacted by the state legislature during its 2014 Regular legislative session.

ADOPTED this 24th day of September, 2013

Commissioner Kathy Holian, Chair
District 4

APPROVED AS TO FORM:

Stephen C. Ross, County Attorney

ATTEST:

Geraldine Salazar, County Clerk





Memorandum

To: Santa Fe Board of County Commissioners

From: Donna Morris, Fire Department

Thru: David Sperling, Fire Chief *DS*
Pablo Sedillo, Public Safety Director *PS*
Katherine Miller, County Manager *KM*

Date: September 24, 2013

Re: A Resolution requesting a budget increase to carry over FY-2013 available cash balances for various fire districts revenue fund and to budget new revenue in the amount of \$129,158. (Public Safety/Fire)

BACKGROUND:

The Santa Fe County Fire Department volunteer fire districts receive reimbursement funding from State Forestry and Movie Production Standbys for personnel and equipment that has been utilized on Wildland Fires and Movie Production Sets. The funding that is budgeted in the fire districts revenue fund (244) is utilized to repair or replace wildland and fire apparatus equipment that has been used on Wildland Fires or Movie Production Standbys. This budget resolution is to carry forward the FY-2013 available cash balances for the fire districts to be expended in FY-2014 and to budget new revenue for the Stanley, Glorieta and Galisteo fire districts in the amount of \$4,437 to compensate these three fire districts for the time and equipment utilized on the movie set of Jane Got A Gun. The total amount of this budget increase request is \$129,158.

SUMMARY:

Please approve the request to budget the prior year available cash balance and new revenue in the amount of \$129,158 to be expended in FY-2014.

SANTA FE COUNTY

Page 1 of 6

RESOLUTION 2013 -

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on September 24, 2013, did request the following budget adjustment:

Department / Division: Fire Department/Various Fire Districts

Fund Name: Fire District Revenue Fund (244)

Budget Adjustment Type: Budget Increase Fiscal Year: 2014 (July 1, 2013 - June 30, 2014)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0831	385	02-00	Budgeted Cash/State Funds	26,438	
244	0832	385	02-00	Budgeted Cash / State Funds	13,982	
244	0833	385	02-00	Budgeted Cash / State Funds	894	
244	0834	385	02-00	Budgeted Cash/State Funds	37,728	
TOTAL (if SUBTOTAL, check here X)					79,042	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0831	422	80-09	Capital Purchases/Vehicles	26,438	
244	0832	422	60-07	Supplies/Operational Supplies	13,982	
244	0833	422	60-07	Supplies / Operational Supplies	894	
244	0834	422	60-07	Supplies/Operational Supplies	37,728	
TOTAL (if SUBTOTAL, check here X)					79,042	

Requesting Department Approval: [Signature] Title: Chief Date: 9/10/13

Finance Department Approval: [Signature] Date: 9/11/13 Entered by: _____ Date: _____

County Manager Approval: _____ Date: _____ Updated by: _____ Date: _____

SANTA FE COUNTY

RESOLUTION 2013 -

BUDGET ADJUSTMENT CONTINUATION SHEET

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0836	385	02-00	Budgeted Cash/State Funds	1,364	
244	0837	385	02-00	Budgeted Cash / State Funds	12,443	
244	0837	360	13-00	Revenue/Movie Lot	495	
244	0838	385	02-00	Budgeted Cash/State Funds	1,417	
244	0839	385	02-00	Budgeted Cash / State Funds	3,433	
244	0840	385	02-00	Budgeted Cash/State Funds	1,827	
244	0841	385	02-00	Budgeted Cash / State Funds	405	
244	0842	385	02-00	Budgeted Cash/State Funds	402	
244	0842	360	13-00	Revenue/Movie Lot	495	
244	0843	385	02-00	Budgeted Cash / State Funds	1,933	
244	0844	385	02-00	Budgeted Cash / State Funds	22,455	
244	0844	360	13-00	Revenue/Movie Lot	770	
244	0871	360	13-00	Revenue Movie Lot/Volunteer Payments	2,677	
TOTAL (if SUBTOTAL, check here)					129,158	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0836	422	60-07	Supplies/Operational Supplies	1,364	
244	0837	422	60-07	Supplies/Operational Supplies	12,938	
244	0838	422	60-07	Supplies/Operational Supplies	1,417	
244	0839	422	60-07	Supplies/Operational Supplies	3,433	
244	0840	422	60-07	Supplies/Operational Supplies	1,827	
244	0841	422	60-07	Supplies/Operational Supplies	405	
244	0842	422	60-07	Supplies/Operational Supplies	897	
244	0843	422	60-07	Supplies/Operational Supplies	1,933	
244	0844	422	60-07	Supplies/Operational Supplies	23,225	
TOTAL (if SUBTOTAL, check here X)					126,481	

SANTA FE COUNTY

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BUDGET ADJUSTMENT CONTINUATION SHEET

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
TOTAL (if SUBTOTAL, check here _____)						

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0871	421	10-55	Salaries & Wages/Volunteer Reimbursements	2,472	
244	0871	421	20-01	Employee Benefits/FICA Regular	166	
244	0871	421	20-02	Employee Benefits/FICA Medicare	39	
TOTAL (if SUBTOTAL, check here _____)					129,158	

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ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Donna Morris Dept/Div: Fire Department/Administration Phone No.: 992-3082

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.

This request is to budget FY-13 available cash balances from the Fire Districts Revenue Fund (244) for expenditure in FY-14 in the amount of \$124,721 and to budget new revenue for the Stanley, Glorieta and Galisteo Fire Districts in the amount of \$4,437 to compensate these three fire districts for the time and equipment utilized on the movie set of Jane Got A Gun. The total of this request is for a budget increase in the amount of \$129,158. Each fire district was requested to prioritize their needs to budget funds in appropriate expenditure categories.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
80-09	Apparatus	26,438

- 2) Is the budget action for RECURRING expense _____ or for NON-RECURRING (one-time only) expense X

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ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Donna Morris Dept/Div: Fire Department Administration Phone No.: 992-3082

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES NO X
If YES, cite statute and attach a copy.

- b) Does this include state or federal funds? YES X NO
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.

NM State Forestry Reimbursements.

- c) Is this request a result of Commission action? YES NO X
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).

- d) Please identify other funding sources used to match this request.

Not Applicable.

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NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 24th Day of September, 2013.

Santa Fe Board of County Commissioners

Kathy Holian, Madam Chair

ATTEST:

Geraldine Salazar, County Clerk

